

LAW LIBRARY JOURNAL

VOLUME 54

FEBRUARY 1961

No. 1

PRESIDENT'S PAGE

Throughout the ages, evolution has been identified with struggle. Each advance has been achieved by the efforts of those who would renounce the ease and complacency of the status quo, and dare to explore the new and unknown.

The continued advance of a vigorous association must follow the natural laws of evolution. Building upon the accumulated wisdom and experience of its past, the leaders and explorers from amongst the younger segment of its membership must find incentive and opportunity to strive for the advancement of the Association.

Committee work offers such incentive and opportunity.

Much of the important work of every association is accomplished by its committees. Presumably, the ideal "status quo" committee:

1. Should be small for the sake of convenience.
2. Should have continuity of membership in order to profit by experience.
3. Should retain a competent chairman.

As you look elsewhere in this issue at the list of committees for 1960-61, you will observe that the ideal conditions noted above have been often disregarded—in some instances because it is desirable: for a wide representation of geographical areas; for representation of the interests of many types of libraries with a common problem; for the completion of a sizable volume of work within a short period of time; for the desire of a chairman for the appointment of particular assistants; etc.

However, the overall objectives have been to carry forward the Association's work and, at the same time, try whenever possible: to shift competent chairmen for experience on many committees as training for leadership; to team experienced committeemen with newcomers for their introduction to AALL functions; to determine which members demonstrate a willingness and capacity to work; to explore for, and develop, new and potential talent.

Such objectives do not make for an easy and complacent maintenance of the status quo. When the "present year" has been recorded as "past," may the future reveal that our committees' struggles have held all gains to date—and—continued to advance.

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Creighton and the Problem of the Macheïde

by DONALD W. JOHNSON, Librarian, Creighton University Law School

In 1913 a book was published in Germany having nothing to do either with law or librarianship: moreover, this book has never been translated into English.¹ It may, therefore, seem a trifle remote, but the writer believes that its essence contains certain implications for law libraries in America today.

In general, the thesis expressed is this: mankind is gradually growing more perfect, however imperceptibly, and as man approaches perfection his feasible alternatives in any given action situation are reduced;² ultimately, the last point on this line of gradual perfection of mankind (in a wholly material sense) will be reached, and this final point is named the *Macheïde*, i.e., *Son of Battle*, because this creature is the product of mil-

lions of years of struggle between Man and Nature. No longer does choice exist at all; in each action requirement there is one and only one way to act, the stake being survival.

One possible application of this theory is that proximity to perfection might be measured by the number of feasible choices in a stipulated action situation, i.e., the more choices available the farther from the *Macheïde*. By this measurement, law librarianship in America today must be a very long way from the *Macheïde*, because we are all of us surviving in spite of substantial lack of agreement upon many basic things. For example, a recent item in LLJ³ notes that, apart from law libraries having no classification system at all, and apart from the many published law classification schemes (such as Benyon, Columbia, Dabagh, Department of Justice, Dewey, Los Angeles County Law Library, Wire, and Yale), there are at least 18 different law libraries employing their own unpublished, private systems. Perhaps, then, there are 25-30 different systems used in American law libraries, or even more.⁴ This is one area in which it might be well for us to recognize the value and importance of the *Macheïde*, for perfection is not to be found in diversity. Surely, we are beset with too much riches

¹ Lasker, Emanuel. *Das Begreifen der Welt*. Berlin, H. Joseph, 1913. The title, translated, means "The Comprehension of the Universe." *En passant*, *Macheïde* is pronounced, approximately, "moch-kidda."

² In Lasker's theory, choice is limited by 1) knowledge and 2) survival requirements in a fiercely competitive environment. The more one knows of any given subject, the more aware he is of the many wrong answers and of the few "right" ones; if his knowledge of the subject were complete, there could no longer exist even a few right answers: there could be only one right way to act, and if survival of the individual were dependent upon acting in that one right way it follows that natural selection should eventually produce the *Macheïde*, who might be described as a humanoid variety of automaton, with a sterility of choice that is a bit frightening to comprehend. Still, improvement, which in theory will produce the *Macheïde*, is to be desired in the meantime, and we must relentlessly pursue this fearsome end, no matter how distant in time the end may be. The writer's guess is that it is still a few million years away.

³ 49 *Law Library Journal* 446.

⁴ Ellinger includes a detailed analysis and comparison of law classification schemes in 19 *Library Quarterly* 79.

and, in view of the many benefits to be derived from some uniformity,⁵ it is time we made some selections governed, as in the case of the Macheide, by considerations of usefulness: survival of adequate service to our library public demands a restriction of choice.

Since the writer's professional experience was until June of 1959 limited to college and university libraries, it may seem somewhat brash to invade the sacrosanct precincts of law library problems, but, on the other hand, can it be seriously maintained that the principles of bibliographic organization developed in this country over the past 84 years have no application in law libraries? Only those who place too much emphasis upon the adjective and not enough upon the noun could attempt to hold such a position. In any event, since the date mentioned the writer has had to come to grips with law library problems, for he has undertaken to catalog and classify a law collection well in excess of 60,000 volumes, with all the incidental organization required to make the cataloging and classification effective. At Creighton, perhaps it would have been desirable from some points of vantage to wait for the Library of Congress to develop and publish a "K" schedule before undertaking to classify the collection, but, as nearly as can be foreseen now, this is still

quite distant and remote, possibly as distant as the beginnings of L.C. work on a "K" schedule some 50 years ago. Meanwhile, the Law School administration and faculty are a lot more interested in their own library than in what L.C. might do: they want action, not speculation.

In what follows, I should like to present Creighton's solutions to the problems raised by the Macheide, realizing full well that our answers may not be the best. It is the writer's hope and object, however, that the following details will provoke thought and discussion among law librarians, and it is his conviction that educated people can produce good results when they think about and discuss matters too long ignored or taken for granted.

Anterior to the start of work on the cataloging project, however, came the problem of achieving bibliographic control, without which the best-cataloged collection is hardly useful. As Margaret Mann has put it, "the purpose of cataloging is . . . to put order into a collection of books so that volumes may be located and used for reference and circulation."⁶ There is, quite obviously, little point to cataloging the collection if, upon completion of the work, a given book cannot be produced (or, at least, reported upon) for a given person at a given time and place. Therefore, certain changes have been made, with the result that the public can enter the library now at one point only, leaving

⁵ Uniformity may have some undesirable aspects, but it might very well possess some advantages in such areas as communications between libraries, costs, transferability of experience by our patrons, clientele, public, and even ourselves. What are the present odds against an attorney walking into a strange law library and finding, as easily as in a familiar library, what he wants? How much does it cost to be unique?

⁶ Mann, Margaret. *Introduction to cataloging and the classification of books*. 2d edition. Chicago, American Library Association, 1943. The quote is taken from page four. Please note that classification, at least to the extent of notation symbols, is implicit in the statement quoted.

the library only *via* another point, the circulation desk being related to the exit point in such fashion that all leaving the library must pass directly before it. Furthermore, partly for bibliographic control and partly because of the magnitude of the cataloging project, which involves wholesale movements of books in the stack area, our book stacks have been closed to the public. These changes necessarily restrict use of the collection, to some extent, for a few, but, having as their goal better service to all, they are justified. As a matter of fact, the student body has accepted this with good humor.

Next in order of priority was the preparation of a staff manual of procedures. Of course, no such manual springs full-blown from the head of any librarian; it must be written, revised, re-written, revised again, and again, and again, until it really is what it purports to be. But a tentative staff manual has been prepared. It is anticipated that the accumulation of experience will later permit a final, complete, edition, *i.e.*, as final and complete as these things ever become.

Classification has got to be regarded as a *must* in all libraries of even modest size, for without it book retrieval is both difficult and costly; moreover, library service suffers in its absence. Furthermore, expensive and wasteful duplication is very likely to occur in an unclassified library, to an extent much greater than in a library which has been classified. We, therefore, had to study the various law classification schemes and decide which, if any, to use at Creighton. Without detailing the many reasons for our choice, suf-

fice it to say that we experienced little difficulty in deciding that the Los Angeles County Law Library adaptation of the Benyon "K" schedule⁷ very likely had more to offer than the many other law classification schemes extant, and so it was early decided to classify according to their published schedule. Those books in our collection not covered by this schedule will be classified according to L.C. or, in some cases, the Lynn Alternative Classification⁸ (since Creighton is a Catholic institution). We are, therefore, using Sears⁹ and Kapsner¹⁰ subject headings, but, although we are using L.C. printed cards whenever they are available because it is cheaper to buy these than to do original cataloging, we are not using the subject headings found in the tracings on L.C. cards for our law books. Instead, we are using as a basic list the Northwestern subject headings¹¹ as these are

⁷ Los Angeles County Law Library. *Classification schedule: Class K, Law, corrected to March 1, 1958*. Los Angeles, 1958. A personal communication from Forrest Drummond advises the writer that there are now 23 law libraries in the U.S. using this classification scheme in whole or in part.

⁸ Lynn, Jeannette Murphy. *An alternative classification for Catholic books . . . for use with the Dewey Decimal, Classification Decimale [and] Library of Congress classifications*. 2d edition, revised by Gilbert C. Peterson. Washington, The Catholic University of America Press, 1954.

⁹ Sears, Minnie Earl. *Sears list of subject headings, with suggestions for the beginner in subject heading work*. 8th edition, by Bertha Frick. New York, H. W. Wilson, 1959.

¹⁰ Kapsner, Oliver L. (ed.) *Catholic subject headings; a list designed for use with Library of Congress subject headings or the Sears list of subject headings . . . with an appendix on names of Saints*. 4th edition. Collegeville, Minn., St. John's Abbey Press, 1958.

¹¹ McLaury, Helen (comp.) *List of subject headings for small to medium sized law libraries (mainly Anglo-American)*. Chicago, Northwestern University School of Law, 1956. We opted for this list in preference to another fine list published by Columbia (see below), because its format is more

designed for use in a law library while the L.C. subject headings are not.

Our most conspicuous departure from "normal" biblio-legal practice, though, is in the type of catalog we are using, for we have decided to use a classified, rather than a dictionary, catalog, Pollock to the apparent contrary notwithstanding.¹² A thorough explanation and exposition of this type catalog can be found in Shera and Egan's work,¹³ but the classified catalog is a rarity in this country, and, for the benefit of those who have never seen a classified catalog and do not have access to the works cited, a brief explanation would seem to be in order.

Fundamentally, all public catalogs divide into two broad types: 1) the dictionary catalog, and 2) the "split" or "divided" catalog. The classified catalog is a refinement of the split catalog in that the subject portion is filed by subject number rather than

suitable to our requirements while there appears to be little difference as to scope. Occasionally, however, we do make use of the Columbia list, and the nature of our catalog permits inclusion of any subject heading, regardless of its source.

Price, Miles O. (ed.) *Subject headings in Anglo-American and international law used in the dictionary catalog of the Columbia University Law Library*. New York, Columbia University School of Library Service, 1957.

¹² Address to the Library Association, 1886, published in 52 *Law Library Journal* 14: "It is better to have an alphabetical catalogue with a separate subject-index than to put one's trust in a class catalogue." Times have changed, the classified catalog is a more perfected tool, and the writer respectfully disagrees with Mr. Pollock.

¹³ Shera, Jesse Hauk and Egan, Margaret E. *The classified catalog: basic principles and practices, with a code for the construction and maintenance of the classified catalog* by Jeannette M. Lynn . . . and Zola Hilton . . . Chicago, American Library Association, 1956.

See also:

Metcalfe, John. *Information indexing and subject cataloging: alphabetical; classified; coordinate; mechanical*. New York, Scarecrow Press, 1957.

subject heading. A library using the classified catalog requires three units in its public catalog: 1) the author and title catalog; 2) the subject index, which refers from subject headings to subject numbers, and 3) the classified catalog, arranged by subject numbers. There are several advantages to using a classified catalog in a law library. For one thing, the classified catalog is ideally suited to a highly-specialized collection; for another thing, all related subjects are brought together in a logical manner instead of being widely separated via the accidente and transiency of semantics; for still another thing, it contains not a single cross-reference; finally, should a subject heading change in meaning, the librarian need change only the appropriate card in the subject index rather than many cards carrying that subject heading, as would be the case in a dictionary or ordinary split catalog. Of course, an auxiliary, non-public index is required in order to indicate the headings used for each number employed; this index is called the numerical index.

No further explanation of the author-title index is required, but it might be well to elaborate some on the other units. The subject index is an alphabetical index of subject headings, each of which cites the classified catalog numbers representing various facets of the subject. The classified catalog cards are filed numerically by subject numbers, which need bear no relation to the classification scheme used; all that is required is that the numerical arrangement be logical. The numerical index reflects the numbers used in the classified catalog, in-

dicating for each number the subject approaches given in the subject index.

The chief and most fundamental advantage of the classified catalog is that like, related, and tangential materials are brought together logically, how logically depending upon the logical relationships of the subject numbers. At Creighton, we are using class numbers for the classified catalog based upon our classification schedules, and this seems to be working out quite well.

One problem common to all libraries, whether or not classified, is the problem of mono-location of multi-faceted books, *i.e.*, no book is about any one subject; rather, each book deals with many subjects, but the book is a physical unit and can be located in only one place on the shelves. This is why numerous subject headings are frequently required for individual titles. In a classified catalog, however, this problem can, to some extent, be overcome, for it is possible to expose every facet of any given title, analyzing, if desired, down to each and every paragraph.¹⁴ Consequently, with all the books' facets and realtionships exposed, the problem is solved *via* multi-reference. The classified catalog might be likened to a shelf-list, with the important difference that one title may appear in several places in the list, and it has the advantage over an alphabetical subject catalog in that it is logical in arrangement, something an alphabetical list can never be.

As an adjunct to our catalog, we

¹⁴ This analysis answers, in part, the problem raised in the panel discussion on analytical cataloging at the 53d annual meeting (1960) of the American Association of Law Libraries.

have established a Serial Record. All periodicals and continuations in our collection, whether or not currently received, will be represented here in a single alphabet, with cards of distinctive colors for periodicals and for other types of serials, in a National Visible Ring Binder, this being much more economical of both money and space than other systems providing similar advantages. Eventually, our entire holdings of all forms of continuations will be represented, and kept current, in the Serial Record. Incidentally, provision has been made on all Serial Record cards for a signal system to denote lacunae, duplicates, *etc.*, thus facilitating a regular exchange program.

Our charging system will require use of two cards for each volume, one to be filed by due date and the other by call number. In the case of Reserve books, one card is filed by call number and the book is, thus, charged to the Reserve Shelf, while the other card is retained in the book and used to charge the book to borrowers. This two-card system will enable us to recall books as they become over-due without complicated procedures, besides which it will materially assist in locating books not in their assigned places on the shelves. With our book-stacks closed to the public, each book in the collection should be found either in its proper place in the stacks or located through the call-number file.

Faculty loans will, of course, be of unlimited duration but subject to 48-hour recall after an initial one-week loan period in the event that someone else calls for the book. A Faculty file

is substituted for the date-due file.

Our normal period for loans has been set at one week, but this does not apply to 1) reserve books, which circulate for two hours or overnight, and 2) law reviews, which circulate for one day. Books shelved in the reading room are reference works; hence, they are permitted to circulate only in that area and are not, ordinarily, permitted to leave the library.

In addition to accessioning and embossing, book identification is being handled in three ways: 1) all books belonging to the library will contain book plates especially designed for the Law Library; 2) all books will be stamped, top and bottom, with a rubber stamp reading "Creighton University Law Library;" 3) all cataloged books will bear complete call numbers.¹⁵ The markings on our books, i.e., the call numbers, are being done with an electric stylus and transfer paper upon a 1½" wide plastic tape manufactured by Minnesota Mining & Manufacturing Company. This plastic tape is available in a number of colors, but we are using only red, blue, green, and white, to enable us to match, harmonize, or contrast with the color of the book in each instance.¹⁶ After being marked, the plastic tape is applied to the spine of the

¹⁵ We do not contemplate classifying periodicals, and they will, therefore, not have call numbers. They are to be shelved alphabetically by title in a single sequence.

¹⁶ Note that, in our usage, the colors have no special significance, although they could be used as a means toward a quick, visual-location symbol, e.g., blue might signify "shelved in the reading room," red might mean "shelved regularly in faculty office," etc., facilitating the return of books to special areas and/or collections. Quite incidentally, we have found that this plastic tape tends to improve the appearance of books on the shelves, even when they are new books.

book, the top edge of the tape being placed *exactly* two inches from the base of the volume. Then, over the plastic tape a layer of Magic Mending Tape, also manufactured by 3M, is applied as a protection for the markings so that they will not rub off with use of the book.¹⁷

Up to June of 1959, roughly two-thirds of our collection had been accessioned, after a fashion.¹⁸ Volumes not previously accessioned are being added to the Accession Record as we move along, so that when the job is done our records will be complete. We are, also, taking a simultaneous inventory of the collection, making use of the Accession Record. A book consisting of sheets ruled and numbered for 500 numbers per page has been made, and each accession number is checked in this inventory book as the book represented by the accession number is processed. Ideally, when the project has been completed a checking of our inventory book will reveal, via comparison with the Ac-

¹⁷ Although lettering directly upon the spine of the book, followed by application of a coat of book lacquer, is ordinarily to be preferred, we decided upon this method because it obviates the need to "paint out" that portion of the spine which is to be lettered and speeds up the whole operation. We experimented quite a lot before discovering this pressure-sensitive plastic tape, and all other products tried tended to curl at the edges. This tape will not curl, although it can be peeled from the book with some effort.

¹⁸ We encountered a tricky problem with the Accession Record, as it developed that 7,463 numbers had been used twice; in a sense, two accession records had been maintained for a number of years. In the beginning, the apparent intent was to keep casebooks separate from the rest of the collection, but over a period of time this differentiation disappeared. As we proceed with the cataloging, therefore, it is necessary for us to check the accepted accession record, re-accessioning materials that refer to the rejected one. Moreover, we have found extreme carelessness in accessioning books, many of which have one number in the Accession Record and another in the book.

cession Record, how many and which volumes are missing; these can then be deducted from the total number of volumes accessioned to produce a fairly reliable figure for the total number of volumes in the library. Our Accession Record will then be converted into something like a perpetual inventory, so that dependable and consistent figures can be provided for those agencies, accrediting and otherwise, requiring such statistical data. The method is simple: a column will be set aside for noting deletions from the collection, whether by loss or withdrawal, and a running subtotal of this column will be kept; by deducting the sub-total from the total number of volumes accessioned an "educated" guess as to the total number of volumes in the collection can be made at any time.

One of our problems arises from the fact that it has been the policy in the past to accept all gifts of books, no matter whether these duplicate materials already in the collection or not. We intend to continue this policy on the ground that it is bad public relations to refuse to accept such gifts, but the policy has created a situation where a great deal of our shelf space is consumed by unneeded, unwanted books. At the present time, we do not even have records to tell us what these materials are or where they are located, but they will be brought to light as our cataloging project progresses. Much of the material has already been located, and we have boxed these books in boxes of uniform size, numbering the boxes and noting the contents of each as we filled it, thus providing ourselves with

a record of these books. In this fashion, we can economize on both time and space in organizing, however adequately, these duplicates.

The opportunity to organize a collection of law books such as ours might be considered a dream by some librarians and a nightmare by others. In favor of the former concept, however, it must be argued that relatively few librarians obtain an opportunity to put their ideas into effect; they take positions in already organized libraries and, though they might prefer an entirely different manner of organization, though they may see many flaws in the existing arrangement, they must accept their inheritance from the past and content themselves with whatever minor corrections and/or improvements as are feasible. At Creighton, no such forced acceptance of the past was imposed; in fact, the task was to change the past organization entirely. In short, an opportunity was afforded to "start from scratch." Under such conditions, it is possible to formulate a single, comprehensive plan, relating every aspect to each other aspect of the entire organizational problem. Our plan is based upon achieving a certain goal, namely that we want to provide the greatest possible service to the greatest possible number with a minimum of time and effort: in other words, we want to get maximum use of our collection. The goal is immediate and complete accessibility to the entire collection, and we will emphatically not be satisfied with mere availability. We hope to realize this goal within the next two to three years.

In summary, when our goal has

been reached our classified catalog will provide all users of the library with many benefits, but it will particularly benefit (by broadening bibliographic horizons) those with the least knowledge of legal literature, e.g., freshman students. Our individual titles will be truly accessible, perhaps for the first time in Creighton's history. Maximum service from our periodical collection will be provided through our Serial Record, which will, also, obviate the need for noting holdings of continuations in the public catalog. The inventory will inform us exactly as to what we have and tell us precisely what has been lost through the years. Our exchange program will demand a minimum of time. The rate of book loss should be materially and substantially reduced by newly-instituted bibliographic controls. These are among the things we expect to accomplish.

The situation that existed at Creighton up to June, 1959, is not unique; it arose from a false premise that has been accepted among law librarians for many years, i.e., the belief that law libraries require neither cataloging nor classification, that the materials they contain are "self-classifying" and "self-cataloging" as to form. In recent years, perhaps because of mounting evidence against it, this premise has been rejected, and the need for bibliographic organization is becoming recognized, but the ideal organization exists, still, only in theory, as was pointed out by Arthur T. Vanderbilt.

Not only is there no key to our great works of legal scholarship, but it is almost startling to learn that none of the great systems of library classification furnishes us with an adequate breakdown

of topics in the field of law. Title K, set aside for law, is the only major classification that the Library of Congress has not yet published, although work on it has been in progress since the turn of the century. Inevitably individual law librarians have been driven to try their hand at classification with varying results. . . . No subject catalogue, however, is sufficiently complete in its cross-references to satisfy the needs of various kinds of researchers. We often find that [not] all the material in the library on a certain subject has been . . . brought out in the catalogue. . . . By a proper subject classification the researcher applying himself to the arrangement of books on the shelves would find all the available material in the library rather than an imposing array of treatises, alphabetically arranged, and administrative reports, laws [and] specialized periodicals, separately housed in chronological jurisdictional order.¹⁹

As we begin to organize our collections, let us keep these comments ever in mind, and let us ask ourselves, too, if this criticism and many others like it can be met by singular arrangement of individual libraries. The writer believes that recognition of the aforementioned false premise as false is a step forward, but it seems to be resulting in a microcosmic order and, if the philosophy of the Macheide has any validity, it follows that the survival of adequate service is not to be found in diversity of approaches to the problem. We should recognize that our many little worlds blend into one great world. Our microcosmic approach is, therefore, wrong. What we require is a macrocosmic approach to the problems currently besetting us. Had the Library of Congress published its Title K schedule 20 years ago, we might today have a

¹⁹ Vanderbilt, Arthur T. *Men and measures in the law*. New York, Alfred A. Knopf, 1949, on pages 22-24.

macrocosmic order based upon the L.C. schedules, but the fact of the matter is that today it is almost too late for the L.C. "K" schedules to do any good; too many law libraries have already adopted or adapted other classification schemes, and re-classification, as we all know, is very costly, more so even than cataloging and classification in the first place. Moreover, more than one of the currently-used schemes amounts notationally to a "K" schedule, and publication of another can only confuse the wandering law library public. There are two great giants of classification for general collections, but law librarianship can make use of neither Dewey nor L.C. We require our own little giant.

No brief is held that the manner of dealing with the problem at Creighton is *the* solution, but it should be noted that in using the Los Angeles County Law Library classification schedules for law we are using what must be considered the most widespread and most satisfactory law classification now available. The small improvements of it which might be made by the Library of Congress are more than offset by the popularity of the L.A. system. The writer is suggesting that efforts to prod the Library of Congress into action be dropped and that, instead, the Committee on Cataloging and Classification of the A.A.L.L. be assigned

the task of examining thoroughly, from every angle, the Los Angeles County Law Library "K" schedule with a view toward recommending it to the Association.²⁰

Years have been wasted in discussion of such problems: "wasted" because discussion that does not result in action is mere pleasantry; discussion should never be its own end, yet that is all it is if it is endless!

May I remind those dear readers who have followed me this far that good intentions are not enough? "The road to hell is paved with good intentions."²¹ It is time to stop intending to act and to start acting, and, after waiting more than half a century for the Library of Congress to rescue us, it is time we began excluding L.C. from our plans and began paddling our own canoe. Only bear in mind that our craft will go nowhere unless our paddlestrokes are coordinated.

Let us look into *and make decisions upon* such problems as book classification *versus* classification of knowledge; notation; analytics; location symbols, etc., and then let us DO something NOW.

²⁰ The committee's emphasis, so far, seems to have been on cataloging, with scant if any attention given to classification. To the writer, the problem of classification is more central and should be dealt with first.

²¹ A German proverb dating back, at least, to the 16th century. It has been called (by Richard C. Trench, Archbishop of Dublin, 1807-1886) "the Queen of Proverbs."

1960 Survey of Law Libraries¹

by EUGENE M. WYPYSKI, Librarian Fordham University School of Law

STATISTICAL SURVEY:² The purpose of the survey was to analyse library growth, expenditures, size of staff and salaries. The survey also attempted to reflect the quantity and attendant cost of micro-copy materials. A questionnaire was prepared together with an explanatory statement of the questions, and was mailed to all law

libraries listed in the 1958 edition of Law Libraries in the United States and Canada. Of the 847 law libraries listed in the United States 235 responded which resulted in a 27.7% return.

The following table indicates the total group reporting by type of library.

Type of Library	Number in 1958 Directory	Number Responding	Percentage
Bar	28	15	53.4%
Company	65	5	7.7%
County	313	44	11.2%
Court	98	28	28.6%
Federal	51	51	23.1%
Firm	96	22	22.9%
Law School	143	90	62.9%
Municipal	8	3	37.5%
State	42	16	38.9%
Other	3	0	0
TOTALS	847	235	27.7%

Of the groups reporting, divided by type of library, the highest percentage of return was 62.9% by the law school libraries; the lowest was 7.7% by the Company law libraries.

Size of Collection:

Classified by the size of collections the largest number of libraries reporting were in the 10 to 20 thousand volume group with 47 libraries representing 19% of the total reporting. Of the 44 County libraries reporting, over

54% or 24 libraries contain collection of under 20 thousand volumes. In the Law School group, 20 libraries or 22% of the total contained collections in size of between 50 to 75 thousand. No law school reported a collection of under 10 thousand volumes while no Company library reported a collection of over 20 thousand volumes. Of the 32 libraries which reported collections of over 100 thousand volumes 50% were in law schools followed by 19% in State libraries.

¹ 1960 Report of the Committee on Statistics and Directory, ordered to be printed in full by the Convention June 27, 1960, 53 LLJ. 306.

² The Committee has been engaged in two projects

during the past year. 1. Collection of certain statistical information concerning law libraries; and 2. Publication of the 1960 edition of Law Libraries in the United States and Canada.

SIZE OF COLLECTIONS BY TYPE OF LIBRARY

	Bar	Com- pany	County	Court	Federal	Firm	Law School	Mu- nicip.	State
Under 10,000	3	4	12	5	—	5	—	1	—
10- 20,000	2	1	12	7	3	14	5	1	1
20- 30,000	4	—	6	3	3	2	18	—	1
30- 40,000	—	—	2	1	2	—	13	—	—
40- 50,000	1	—	5	2	1	1	11	—	2
50- 75,000	1	—	1	6	—	—	20	—	2
75-100,000	—	—	—	3	1	—	7	1	4
over 100,000	4	—	3	1	2	—	16	—	6
No answer	—	—	3	—	—	—	—	—	—
TOTAL	15	5	44	28	12	22	90	3	16

Growth of Collection:

The number of volumes added to the collection by purchase or gift during the last fiscal year was reported by 215 of the 235 reporting libraries. Those not reporting indicated that the information was unknown, no records were kept or that the collection was part of a large library and no separate statistics were available for the law section.

Of the libraries reporting the greatest percentage of growth was indicated by the law schools at 5.19%, the smallest by the State libraries at 1.6%. Of all libraries reporting the rate of growth amounted to 2.71% with the median at 2%.

Of the 215 libraries reporting, 125 indicated they added material acquired by gift.

GROWTH OF COLLECTION BY TYPE OF LIBRARY

Type of Library	No. in group	Number Responding	Average rate of growth (%)	Median rate of growth (%)
Bar	15	11	2.45	2.
Company	5	4	1.75	2.
County	44	40	2.25	2.
Court	28	28	2.07	2.
Federal	12	10	3.1	3.
Firm	22	15	4.4	3.
Law School	90	89	5.19	4.
Municipal	3	3	1.66	2.
State	16	15	1.6	2.
Total	235	215	2.71	2.

Micro-copy materials:

Forty-four libraries indicated that they contained micro reproduction cards in their collection. Of this group the average number of cards amounted

to 7,672 and the median 5,182.

Micro-film collections were reported by 38 libraries with the average number of reels amounting to 176, with a median of 25 reels.

Of the libraries reporting, only 21 indicated that they contained both micro-reproduction cards and micro-film collections.

Expenditures:

The response received to the inquiry concerning book expenditures clearly indicates that most libraries do not keep records of expenditures for bound and unbound continuations.

The inquiry concerning expenditures for continuations and other books was divided as follows:

- F(1) Continuations, bound.
- F(2) Continuations, unbound.
- F(3) Continuations, total.
- F(4) Other books.

Size of Lib.	Average Expenditure			Median		
	No. Reporting	Bd. Cont.	Unbd. Cont.	Bd. Cont.	Unbd. Cont.	
Under 10 mv.	18	1,584	849	1,602	965	
10- 20	17	2,417	3,299	2,219	2,412	
20- 30	16	3,368	2,361	3,545	2,300	
30- 40	10	4,945	3,025	4,272	3,247	
40- 50	10	5,667	3,961	5,212	3,175	
50- 75	7	5,863	4,962	5,830	4,407	
75-100	6	6,841	8,080	7,300	7,050	
100-200	5	8,262	5,751	9,936	5,589	
200-300	1	11,410	20,748	

Of the 142 libraries that reported total expenditures for Continuations as well as expenditures for books other than continuations, the following

Of the 235 libraries reporting, 49 indicated as unknown, no records kept, or no response to the inquiry concerning expenditures. The 186 libraries that reported were divided as follows:

- 90 Libraries answered F(1) and F(2).
- 40 Libraries answered F(3) only.
- 40 Libraries answered F(4) only.
- 142 Libraries answered F(3) and F(4).

Considering the 90 libraries reporting expenditures for both bound and unbound continuations, there appeared to be a direct relationship between the size of the library and the average and median expenditure.

chart illustrates the direct relationship between the types of expenditures and the size of the collection being maintained.

Size of Lib.	Continuations				Other Books		
	No. Re- porting	Aver- age	High	Low	Aver- age	High	Low
Under 10,000	16	2,901	7,130	1,214	728	3,728	10
10- 20,000	15	4,913	15,145	1,900	1,731	4,433	56
20- 30,000	22	5,409	9,400	665	2,556	4,966	78
30- 40,000	14	8,419	15,000	3,260	2,873	8,400	170
40- 50,000	18	9,359	18,000	3,000	3,681	13,000	812
50- 75,000	18	10,369	17,256	2,932	4,702	13,816	432
75-100,000	12	15,377	24,310	5,500	4,957	11,783	115
100-200,000	20	18,464	30,367	7,750	9,144	27,386	360
200-300,000	4	47,634	74,510	20,748	19,382	48,905	1,364
over 300,000	3	53,111	71,295	39,000	21,590	31,358	13,000

As to expenditures for micro-copy materials, the 82 libraries that reported holdings reported an average expenditure of \$788.00.

Supplies—114 libraries reported average expenditures of \$1,041.

Binding—150 libraries reported average expenditure of \$1,850 amount-

ing to an average of 11% of total expenditures.

Total expenditures—were reported by 190 libraries. Again considering the group by size of collection as well as minimum and maximum expenditures a pattern is clearly established in a relationship between the size of collection and total expenditures.

TOTAL EXPENDITURES (other than salaries) BY SIZE OF COLLECTION

No. of volumes	No. of libraries	Low	High	Average
under 10,000	23	689	14,034	3,642
10- 20,000	30	2,532	20,917	7,155
20- 30,000	29	2,440	25,000	8,522
30- 40,000	19	4,200	20,300	10,900
40- 50,000	20	6,390	29,500	14,992
50- 75,000	27	6,000	33,695	15,622
75-100,000	11	7,250	40,752	22,889
100-200,000	24	18,099	62,677	33,920
200-300,000	3	24,222	100,688	55,899
over 300,000	4	63,000	154,598	109,768

Staff:

Of the 235 libraries responding to the questionnaire the following tabulation indicates the numbers of li-

braries employing professional and non-professional personnel, both part-time and full-time.

Number of libraries with 1 full-time professional	86
2	31
3	24
4	14
over 4	15
none	47
no response	18
Number of libraries with 1 part-time professional	23
2	6
3	1
4	1
over 4	1

(Note—Seven libraries reported only a part-time professional, on the staff.)

Number of libraries employing 1 non-professional full-time	52
2	27
3	17
4	1
over 4	13

Number of libraries employing 1 part-time non-professional	50
2	18
3	11
4	10
5 to 10	41
over 10	11

It is interesting to note the differences in size of staff according to the type of law library. Of 90 Law School libraries 44 reported one full time

professional librarian. The following chart indicate the number of full-time professional librarians employed in Law Schools.

Law Schools:

44 Libraries employ 1 full time professional.
17 " " 2 " " professionals.
10 " " 3 " " "
6 " " 4 " " "
9 " " more than 4 "
3 " " no " "

The following chart compares the number and type of staff members em- ployed by law school, county, court and state libraries.

TYPE AND NUMBER OF LIBRARIES

	No. on Staff	Law School (90 Libr.)	County (44 Lib.)	Court (28 Lib.)	State (16 Lib.)	Federal (12 Lib.)
Professional	1	44	9	10	2	1
Full-time	2	17	3	2	2	3
	3	10	1	2	6	2
	4	6	1	—	2	3
	over 4	9	2	—	2	2
	none	3	23	12	1	1
Part-time	1	13	—	3	1	—
	2	6	1	—	—	1
	3	1	—	—	—	—
	4	—	1	—	—	—
	over 4	—	1	—	—	—
Non-professional	1	27	9	6	2	1
Full-time	2	12	4	4	2	—
	3	3	1	2	3	5
	4	1	—	—	2	—
	over 4	9	2	1	1	1
Part-time	1	7	13	9	3	1
	2	7	4	—	1	—
	3	9	—	—	—	—
	4	8	—	1	—	—
	5-10	39	1	—	1	—
	over 10	12	1	—	—	—

Among law school libraries, 3.3% reported no full-time professional librarians on the staff in contrast to 52% of the County law libraries, and 43% in Court libraries. State libraries and Federal libraries reported 6.25% and 8.3% respectively.

The largest percentage of part-time professional librarians are employed in law schools while other libraries reported an insignificant number.

Salaries:

The questionnaire included requests for information concerning to-

tal expenditures for salaries as well as expenditures for specific classes of staff personnel. Unfortunately, many libraries did not report expenditures by classes of personnel but merely reported the total expenditure. Of the 235 responding, 186 reported on salary expenditures.

The following chart illustrates the *total salaries paid to all personnel* in various types of libraries classified by size of collection. It does not indicate individual salaries paid but rather the total salary budget.

TOTAL SALARY EXPENDITURES

Size of Collection	No. of Libraries	Low	High	Average
Up to 10,000	21	300	11,500	3,813
10,000- 20,000	32	650	33,320	8,915
20,000- 30,000	27	3,500	32,341	9,575
30,000- 40,000	20	800	35,465	13,134
40,000- 50,000	19	5,301	30,013	17,076
50,000- 75,000	25	6,930	30,242	15,684
75,000-100,000	14	5,340	84,840	29,063
100,000-200,000	22	19,610	101,484	45,617
200,000-300,000	3	38,710	118,647	76,501
over 300,000	3	96,165	205,691	143,779

The total expenditures for salaries are clearly established to be directly proportionate to the size of the library collection. The figures for high and low expenditures, however, show the great variation that does exist between libraries in the same size category.

Considering salaries paid to full-

time professional librarians in libraries classified by type, it is interesting to note that Federal law libraries indicated an average annual salary of \$7,055. It must be clearly noted however that this average includes *all* full-time professionals without regard to individual titles or positions.

Type of Library	No. of libraries	No. of Full-time Professionals	Average Sal
County	14	28	5,562
Law School	90	165	5,915
State	13	37	6,109
Bar	8	19	6,244
Court	12	18	6,599
Firm	12	13	6,716
Municipal	2	6	6,939
Federal	8	28	7,055

Salaries—Law School Libraries:

Since 90 Law School libraries responded to the questionnaire comprising over 50% of the total responses concerning salary expenditures, a detailed analysis of this group was made.

No. of volumes	\$2,000	\$3,000	\$4,000	\$5,000	\$6,000	\$7,000	\$8,000	\$10,000
10,000-19,999	2,999	3,999	4,999	5,999	6,999	7,999	8,999	10,999
20,000-29,999		3	3	2	4			1
30,000-39,999	1	1	1	3	3			
40,000-49,999			2		2		2	
50,000-74,999		1	1	1	3		1	1
75,000-99,999				1				
over 100,000						1		

High—10,369 (20-30 m volumes)

Low — 2,880 (30-40 m volumes)

Average—\$5,696

Median—\$5,875

It must be noted that the above only reflects those law school libraries employing one full-time professional librarian.

Considering next all full-time professional law school librarians, classi-

Considering first, the 41 law schools which reported one full time professional librarian, the following chart indicates the size of the library as well as the salary range of the librarians.

No. of Full Time Professionals	No. of Schools	Average salary
1	41	5,696
2	10	6,133
3	6	5,694
4	6	5,573
5	2	5,907
over 5	—	6,420

The law school libraries employing two or more full-time professional li-

fied by the total number of staff members without regard to position, the following chart illustrates the average salary, paid according to the size of library staff.

brarians fall into the following categories:

Number of full-time Profs.	SIZE OF COLLECTION						
	10-20m	20-30m	30-40m	40-50m	50-75m	75-100m	over 100m
TWO	1	2	2	3	5	2	
THREE			1		3	1	1
FOUR		1				2	3

All libraries with five or more full-time professionals have collections of over 100,000 volumes.

The Committee wishes to thank all librarians who completed the statistical questionnaire thereby making this

survey possible. Future surveys of this type should be conducted on a regular basis thereby making possible a comparative and more effective study of trends in law library growth and administration.

From the Attic to the Courts¹

by GUNNAR H. NORDBYE

Perhaps no episode in the annals of American history has more vividly captured the imagination of the people of this Nation than the Lewis and Clark Expedition in the years 1804 to 1806 from the mouth of the Missouri River to the Pacific Ocean and back, some 4,000 miles, and which was en route two years, four months, and ten days. The Northwest Passage to the Pacific, the discovery of which had intrigued and lured men for over a century, finally had been achieved by these courageous and intrepid men. And you may readily understand the excitement in Minnesota, figuratively just a stone's throw from the old muddy Missouri, when nearly 150 years after the Expedition had set forth, there was found in the attic of an old home in St. Paul a bundle of dust-covered papers which proved to be the original notes kept by Captain Clark at Camp Dubois before the expedition commenced, as well as the notes made on the first leg of the journey from the mouth of the Missouri to the Mandan country near Bismarck, North Dakota, where the Expedition spent their first winter. And in what manner did these precious documents happen to be resting in this St. Paul home in which General John Henry Hammond, a distinguished Civil War General, had lived

for many years, and who died in 1890? The answer to that question presents a fascinating story.²

Mrs. Sophia V. H. Foster, General Hammond's daughter, who had been a life-long resident of St. Paul, passed away in New York City in December, 1952, and her daughter came to St. Paul to dispose of the home of her late mother and its contents. In rummaging through the attic, she came upon General Hammond's desk which contained his Civil War diaries and certain other papers. Apparently without realizing the historical significance of the documents other than the diaries, she called the Minnesota Historical Society and informed the Curator of Manuscripts that there were certain papers of her grandfather's in which the Society might be interested. On January 7, 1953, the Curator examined the contents of the desk, among which was a bundle wrapped in an old and worn newspaper, the National Intelligencer, from which the date had been obliterated, but it was noted as Volume 5, from which the approximate time of its issue is estimated to be November, 1805. In this bundle were found Captain Clark's original notes.

Before discussing the manner in which this episode leads from the at-

¹ Address delivered at opening luncheon session of the A.A.L.L. Convention in Minneapolis, Minn., June 27, 1960.

² In preparing this paper, the writer has utilized much of the factual information found in his memorandum decision, *First Trust Co. of St. Paul v. Minnesota Historical Society, et al.*, 146 Fed. Supp. 652 (affirmed 251 Fed. 2d 686).

tic to the Courts, mention should be made of the condition of the notes when they came to the Minnesota Historical Society. They were written with a quill pen and on separate pieces of paper of various kinds from the size of a postcard to between 20 and 30 inches in length. Some of the notes were written on pieces of paper which had been used originally to enclose letters sent to Captain Clark before the Expedition commenced its journey. This period, you will remember, was in the era before the use of envelopes. Sometimes the notes kept by Captain Clark would be written across the addressee's name on one side of such a paper. The notes were replete with cross-outs, excisions, ink spots, and finger prints. Clark, who was born in 1770, was not a literate man; he had had no formal education after he was 14 or 15 years old and was of the frontier school. His use of good English was limited, and the misspelled words and the crowded and often illegible writing on the various pieces of paper he used, made it exceedingly difficult for the Society to decipher the text.

The work of the deciphering, transcription and chronological arrangement of the notes was conducted for the Minnesota Historical Society by Professor Osgood, Professor of History at the University of Minnesota, with the assistance of certain members of its staff. This group worked off and on for over a year before their task was completed. The difficulty of their work was enhanced not only by the illegible writing, excisions, interlineations, and blots, but also by the fact that at the time when Clark had en-

tered all of the events he endeavored to record for one day, he would continue the recording of that day's events on another undated piece of paper, which required extreme care and study in order to determine the chronology of the writings.

As listed and arranged by Professor Osgood, the notes may be divided into two sections—those made when the Expedition was at the base camp at Camp Dubois, below the mouth of the Missouri, from December 13, 1803, to May 13, 1804, and the remainder during the first leg of the journey which commenced on May 4, 1804, up the Missouri to the land of the Mandan Indians, and the wintering there until about April 3, 1805. The journey up the Missouri was made by the 31 men in the Expedition in a 22 oar keelboat with some sort of a sail, a large pirogue (dugout canoe), and a smaller pirogue. When Captain Clark made these hasty but nevertheless informative notes as to the journey up the Missouri, he surely did not envisage the day when they would be the *res* of litigation in a United States Court House not too far from the St. Peter River (now the Minnesota River) and not too far from the quarry at Pipestone, Minnesota, to which he refers in his notes, and where men of all Indian tribes usually met in peace to quarry the red stone for their peace pipes.

In order to acquaint you with the nature of the litigation over the Clark notes, it will be necessary to state in some detail the history of the events which ensued after the Historical Society discovered that General Hammond's granddaughter unwittingly had turned over to it the original

Clark notes. Certain of the Hammond heirs contended that the notes were the unadministered remnants of the Estate of Sophia D. Hammond, the wife of General Hammond, who died in 1923. The First Trust Company of St. Paul, the executor of the Estate of Sophia V. H. Foster, the General's daughter, brought an action in Ramsey County District Court in the nature of an action to quiet title to these documents. It joined the Minnesota Historical Society, the executor of the Sophia W. Hammond Estate, and certain trustees of a testamentary trust under Mrs. Hammond's will. Later, certain grandchildren of General Hammond were named as third party defendants, and then the United States of America intervened, claiming a paramount title to the Clark papers.

The Minnesota Historical Society asserted a lien by reason of certain services performed by Professor Osgood and his staff. The proceedings were removed to the United States District Court by the Government and the parties stipulated that the question of the Government's alleged paramount title as against the Hammond heirs should first be litigated. The Government contended that the Clark notes were the work product of one of the leaders of an expedition authorized and financed by Congress and that in writing these notes Clark was carrying out the instruction of President Jefferson to maintain records of the Expedition. It contended that at least its right of possession to the notes was paramount to that of anyone else.

At the time President Jefferson conceived of the desirability and necessity

of an expedition to explore the Missouri River and "its course and communications with the waters of the Pacific Ocean," he recognized that the expedition, military in character, would enter into lands owned by a foreign nation with which the United States was at peace and that the utmost secrecy had to be observed. The activities of Spain, France and England in this vast northwest area gave him concern and alarm. It was on January 18, 1803, that Jefferson sent a secret message to Congress asking for the authorization of that which is now known as the Lewis and Clark Expedition, so as to give it an official status and an appropriation from Congress for the contemplated expenses. Captain Lewis had been President Jefferson's secretary, and no doubt his close association with Lewis and his knowledge of the latter's outstanding qualifications for the proposed expedition, prompted the President to appoint him as the leader. Upon the passage of the Act by Congress in response to Jefferson's message of January 18, 1803, and the appropriation of \$2,500 for the expenses of the expedition, the President notified Lewis in May, 1803, of his appointment, and then on June 20, 1803, sent him detailed instructions. There can be no doubt from a reading of those instructions that it was an official government expedition and military in the sense that the members were composed of volunteers enlisted in the United States Army, with Captain Lewis as the commander. Military discipline was to be strictly enforced. In writing Lewis, Jefferson outlined in great detail not only the necessity of the observations

which should be made, but also the importance of making and preserving a record of the observations and notes on the numerous subjects outlined in the instructions. Jefferson was meticulous and painstaking in directing the manner of recording and the preservation of the notes and observations. He directed Lewis, among other things,

"Your observations are to be taken with great pains & accuracy, to be entered distinctly, & intelligibly for others as well as yourself, to comprehend all the elements necessary, with the aid of the usual tables, to fix the latitude and longitude of the places at which they were taken, & are to be rendered to the war office, for the purpose of having the calculations made concurrently by proper persons within the U. S. several copies of these, as well as your other notes, should be made at leisure times & put into the care of the most trustworthy of your attendants, to guard by multiplying them, against the accidental losses to which they will be exposed. a further guard would be that one of these copies be written on the paper of the birch, as less liable to injury from damp than common paper."

William Clark was Lewis's friend and he was asked by Lewis to accompany him on the Expedition. On June 19, 1803, Lewis wrote Clark in part as follows:

"From the long and uninterrupted friendship and confidence which has subsisted between us I feel no hesitation in making to you the following communication under the fullest impression that it will be held by you inviolably secret until I see you, or you shall hear again from me.

"During the last session of Congress a law was passed in conformity to a private message of the President of the United States, entitled 'An Act making an appropriation for extending the external commerce of the United States.' The object of this Act as understood by its framers was to give the sanction of

the government to exploring the interior of the continent of North America, or that part of its bordering on the Missourie & Columbia Rivers."

On July 17, 1803, Clark accepted Lewis's invitation and in due time arrived at Camp Dubois on the Wood River near the mouth of the Missouri River. From December 13, 1803, to May 14, 1804, Clark kept rough notes at Camp Dubois of the preparations being made. Lewis came down the Ohio River from Pittsburgh, and for a time he likewise kept a diary. There is no indication that the notations kept by Lewis and Clark when they were in the United States were recorded in response to Jefferson's directions to Lewis. Clark's notes pertained to the activities of the personnel of the Expedition, etc., at Camp Dubois, which was not far from St. Louis, then a well-known town within the confines of the United States. Obviously, both Lewis and Clark, imbued with enthusiasm over the great adventure which confronted them, and aware of the returns to them by way of the publication rights of their memoirs, would maintain diaries and notes of the Expedition regardless of any duty devolving upon Lewis as leader of the Expedition to conform with the instructions of Jefferson in this regard. It is important also to note that, before the Expedition started from Camp Dubois on or about May 4, 1804, the Louisiana Purchase had been made and ratified, so instead of a secret military expedition into a foreign country, the Lewis and Clark Expedition, while primarily directed to the establishment of an overland route over the Missouri and to the Pacific and the

gathering of information as to minerals and flora and fauna of those regions, also was destined to become a good-will mission to the various Indian tribes who inhabited the new territories of the United States. Secrecy as to the Expedition no longer was necessary. Clark was second in command of the Expedition. Although his expected commission as Captain, as promised by Jefferson, never was attained due to certain army regulations, he was commissioned, however, as a Second Lieutenant. But he was a co-leader with Lewis, and there is every indication in the history of the Expedition that Lewis considered Clark as an officer in joint command; in fact, Lewis always referred to him as Captain Clark.

It was suggested by some historians who were witnesses at the trial that the condition of Clark's notes from May 14, 1804, to April 3, 1805, would indicate that they were made in part during the actual progress of the boats up the Missouri, with the attendant erratic movements of the craft which made writing extremely difficult. It is inconceivable that Clark ever intended that these notes of the trip from Camp Dubois to the Mandans should be anything more than the basis for a more finished and legible account of the diary which he was keeping and that they were copied later and used as a basis for his permanent pocket diaries or journals was convincingly established by the evidence. No one knows when the permanent pocket journals of Clark of the journey from Camp Dubois to the Mandans were written, but it is fair to assume that during Clark's leisure, possibly during the

months in 1804 and 1805 when the Expedition wintered at the Mandans, much of the transcribing and finishing and editing of these field notes was performed by him.

When the Lewis and Clark Expedition was preparing to leave Fort Mandan, Lewis wrote President Jefferson a letter under date of April 7, 1805. He stated that he was forwarding to the President an invoice of certain articles, including some 67 specimens of "earths, salts and minerals; and 60 specimens of plants," together with a great deal of other material. A barge with a crew of some ten men was sent from Fort Mandan down the Missouri to St. Louis with letters, messages, and the various articles being sent to the President. In this same letter, Lewis also stated,

"You will also receive herewith inclosed a part of Capt. Clark's private journal, the other part you will find inclosed in a separate tin box, this journal (is in its original state, and of course incorrect, but it) will serve to give you the daily detales of our progress, and transactions. (Capt. Clark dose not wish this journal exposed in its present state, but has no objection, that one or more copies of it be made by some confidential person under your direction, correcting its grammatical errors &c. indeed it is the wish of both of us, that two of those copies should be made, if convenient, and retained untill our return; in this state there is no objection to your submitting them to the perusal of the heads of the departments, or such others as you may think proper. a copy of this journal will assist me in compiling my own for publication after my return.) I shall dispatch a canoe with three, perhaps four persons, from the extrem navigable point of the Missouri, or the portage between this river, and the Columbia river, as either may first happen; by the return of this canoe, I shal send you my journal, and some one or two of the best of those kept by my men. I have sent a

journal kept by one of the Sergeants, to Capt Stoddard, my agent at St. Louis, in order as much as possibly to multiply the chances of saving something. we have encouraged our men to keep journals, and seven of them do so, to whom in this respect we give every assistance in our power."

And it is significant that in the notes of Clark in controversy, the following entry is found under April 2, 1805,

"We are writeing and prepareing dispatches all day — I conclude to Send my journal to the President of the United States in its original State for his own perusal, untill I call for it or some friend if I should not return an[d] this Journal is from the 13th day of May 1804 untill the 3rd of April 1805."

In the files of the Missouri Historical Society at St. Louis, there is a rough draft of a letter that Clark intended to send to President Jefferson. It is dated at Fort Mandan, April 1, 1805. Clark began the letter as follows:

"Sir
As Capt Lewis has not leasure to write a correct copy journal of our" [the following words are illegible]

This entire line was crossed out by Clark and the following line substituted:

"It being the wish of Capt Lewis I take the liberty"

Then appear certain corrections, but the letter continues,

"to send you for your own perusal the notes which I have taken in the form of a journal in their original state. You will readily perceive in reading over those notes that many parts are incorrect, owing to the variety information received at different times. I most sincerely wish that leasure had permitted me to offer them in a more correct form. receive I pray you my unfained acknowledgments for your friendly recollection of me in

your letters to my friend and companion Capt. Lewis, and be assured of the sincere regard with which I have the honor to be

Your most Obt. & Humble Servt."

From this letter it may be deduced that, from the rough notes written on separate pieces and various sizes of paper which were in issue in the litigation to which reference has been made, he had prepared the "journal" which reached the President by way of the return trip of the party sent down the Missouri early in April, 1805. That the rough notes were not sent to President Jefferson, but were sent by Clark to his brother, General Jonathan Clark, who lived in Kentucky, seemed impellingly clear from the evidence.

Professor Osgood was of the opinion that the journal entries contain substantially the same information which is set forth in the notes, but that the entries in the journal often fill in the gaps and expand the notes to constitute a more complete and better arranged chronology of the trip up the Missouri. After listening to the testimony of many eminent historians, and with the history of the entire journey as reflected in Thwaites's *Lewis and Clark Expedition*, a compendium of some seven volumes, it seemed to me that, although it is probable that Captain Lewis found himself too occupied to keep a daily record during this period and requested that Clark aid him in this mission, Captain Lewis never intended that Clark's diary should be anything more than an aid to Lewis when the latter had time to record the contemplated history for President Jefferson. The rough notes of Clark are the jottings of a frontiersman,

written with the express purpose that at some later date they would be copied into, or used as the basis for, a permanent journal.

If Clark was keeping daily notes at Lewis's request in order to comply with the President's instructions, all of the material information recorded by him in such notes was made available to the President when the three journals were forwarded to him on April 7,

⁸ Entries in Clark's notes:

"White Catfish Camp 25th of July Wednesday.
Several hunters Sent out at 2 oClock the Two men Sent to the Oteau Village returned and informed that no Indians were at the Town, they Saw Some fresh Sign near that place which they pursued, but Could not find them, they having taken precautions to Conceal the Rout which they went out from the Village—the Inds of the Missouris being at War with one & the other or other Indians, move in large bodies and Sometimes the whole nation Continue to camp together on their hunting pls Those men inform that they passed thro a open Plain all the way to the Town a few Trees excepted on the water courses—they Cross the Papillion or the Butterfly Creek within a few miles of Camp and near the Village a handsum river of 100 yards Wide Called the Corne de chearf or the Elkhorn, which mouths below the Town in the Plate N. Side Wind from the S.E. 2 Deer & a Turkey Killed to Day Several grous Seen in th Prairie"

Codex A, as published in Thwaites, Vol. I:

"White Catfish Camp 25.th of July Wednesday—a fair morning Several hunters out today, at 2 oClock Drewyer & Peter returned from the Oteau village, and informs that no Indians were at their towns, they saw Some fresh Signs of a Small party But Could not find them. in their rout to the Towns (which is about 18 miles West) they passed thro a open Prairie crossed papillion or Butterfly Creek and a Small butfull river which runs into the Plate a little below the Town called Corne de churf or Elk Horn river this river is about 100 yards wide with Clear water & a gravely Channel. wind from the S.E. two Deer killed to day 1 Turkey Several Grous Seen to day.

"29 of September Saturday 1804— Set out early Some bad Sand bars, at 9 oClock we observed the 2^d Chief with 2 men and Squar on Shore, they wished to go up with us as far as the other part of their band, which would meet us on the river above not far Distant we refused to let one more come on board Stateing Suffient reasons, observ⁴ they would walk on Shore to the place we intended to Camp, offered us women we objected and told them we Should not Speake to another teton except the one on board with us, who might go on Shore when ever he pleased, those

1805. At the President's request, the journals were deposited with the American Philosophical Society of Philadelphia, where they still remain, and are now known to historians as Codices A, B, and C. A comparison of some of the entries in Clark's notes in litigation with his entries in the journals sent to the President appears in the footnote.⁸

After his return from the Expedi-

Indians proceeded on untill late in the evening when the Chief requested that the Perogue might put him across the river which we agreed to— Saw numbers of Elk on the Sand bars to day, passed an old Ricara Village at the mouth of a Creek without timber we Stayed all night on the Side of a Sand bar 1/2 a Mile from the Shore."

Codex B, as published in Thwaites, Vol. I:

"29.th of Sep.th Satturday 1804— Set out early Some bad Sand bars, proceeded on at 9 oClock we observed the 2.^d Chief & 2 principal Men one Man & a Squar on Shore, they wished to go up with us as far as the other part of their band, which they Said was on the river a head not far Distant we refused Stateing verry Sufficint reasons and was Plain with them on the Subject, they were not pleased observed that they would walk on Shore to the Place we intended to Camp to night, we observed it was not our wish that they Should for if they did we Could not take them or any other Tetons on board except the one we had now with us who might go on Shore whenever he pleased. they proceeded on, the Chief on board ask⁴ for a twist of Tobacco for those men we gave him 1/2 of a twist, and Sent one by them for that part of their band which we did not See, and Continued on Saw great numbers of Elk at the mouth of a Small Creek Called No timber C — as no timber appeared to be on it above the mouth of this Creek the Panies had a Village 5 years ago, The 2.^d Chief came on the Sand bar & requested we would put him across the river, I Sent a Perogue & Crossed him & one Man to the S. S. and proceeded on & Came too on a Sand bar on about 1/2 Mile from the Main shore & put on it 2 Sentinels Continued all night at anchor (we substitute large Stones for anchors in place of the one we lost all in high Spirits &c.

"15th of October Rained all last night, passed a Ricara hunting camp on the S.S. & halted at another on the L. S. Several from the 1st Camp visited us and gave meat as also those of the Camp we halted at, we gave them fish hooks Some beads &c as we proceeded on we Saw a number of Indians on both Sides all day, Saw L. S. some Curious Nobo high and much the resemblance of a heped rough house, we halted at a Camp of 10 Lodges of Ricaras on the S. S., we visited thier Lodges & were friendly recved by all— their

tion, Lewis, who had been appointed Governor of Louisiana, met with an untimely and tragic death in 1809. Clark attempted to assist Jefferson in the publication of the history of the Expedition. Nicholas Biddle, of Philadelphia, published a history of the Expedition in 1814, but the scientific data of the natural history and geography of the country were not published during Jefferson's time. Although 14 volumes of the Expedition journals, together with other documents, were deposited with the Philosophical Society of Philadelphia, they remained there without any interest whatsoever being manifested by the Government looking to the publication of the valuable scientific and geographical information contained therein until in 1893 one Elliott Coues, an eminent scientist and traveler, arranged the documents in a series of codices from A to Y, inclusive.

It is apparent that Lewis had encouraged all of his men who were sufficiently literate to keep diaries, and some of the members of the Expedition, such as Sergeant John Ordway, Patrick Cass, Charles Floyd and Nathaniel Pryor, did so. The Government made no claims to any of these notes and observations, though these men, as well as Clark, were paid mem-

bers of what the Government terms a military expedition. In fact, Clark bought Sergeant Ordway's journal when the publication of the Lewis and Clark Expedition papers and documents was being furthered by him. And it must be emphasized that Jefferson recognized that the publication of the journals, notes and observations of Lewis and Clark was to be the source of some of the rewards which they were to receive in return for the accomplishment of one of the most important missions in American history. The Government, however, assumed no part of the burden of the financial responsibility of such publication. Although when Clark was having difficulty after Lewis's death in obtaining editors and publishers for the vast amount of material which had been accumulated, there will be found in some of Jefferson's letters statements that Lewis's journals, particularly as to the scientific data of the Expedition, then in possession of third parties preparatory to contemplated publication, belonged to the Government in that such documents were the fruits of an expedition financed by the Government at great expense, there is an absence of any substance to the contention that in such statements he could have contemplated the portion

women fond of our men— &c"

Codex C, as published in Thwaites, Vol. I:

"15th of October Monday 1804— rained all last night, we Set out early and proceeded on at 3 miles passed an Ind^a Camp on the S. S. we halted above and about 30 of the Indians came over in their canoos of Skins, we ate with them, they give us meat, in return we gave fish hooks & some beads, about a mile higher we came too on the L.S. at the camp of the Recores of about 8 Lodges, we also ate and they gave Some meat, we proceeded on Saw numbers of Indians on both Sides passing a Creek, Saw many curious hills, high and much

the resemblance of a house with a hiped roof, at 12 oClock it cleared away and the evening was pleasant, wind from the N.E. at Sunset we arrived at a Camp of Recares of 10 Lodges on the S.S. we came too and camped near them Capt Lewis and my self went with the Chief who accompanis us, to the Huts of Several of the men all of whom Smoked & gave us something to eat also Some meat to take away, those people were kind and appeared to be much pls^d at the attensioned paid them.

"Those people are much pleased with my black Servent. Their womin verry fond of caressing our men &c."

of the rough notes of Clark which already had been transcribed into permanent journals.

One may pointedly pose the question: What possible aid or assistance could these notes in controversy, which required months of study by Professor Osgood to transcribe, have been to the Government in 1806? The daily latitude and longitude observations, the courses and mileage of the journey, and all other pertinent information had been rewritten in the journals by Clark in a more legible and intelligent manner. There was no showing that his original notations made on indiscriminate scraps of paper would have been of more aid to the scientists, cartographers, the War Department, or others, than his finished journals for that period. The situation had to be viewed as it existed after Clark's return, and not as of today when such original notes and data may be of great historical interest to scholars or have real value as collectors' items. The Government was not concerned with such aspects of the papers in 1806. Certainly, it seemed to me that every inference to be deduced from the evidence supported the contention that Captain Clark considered these notes as his personal property. That he intended to retain exclusively for himself not only the rough notes in controversy, but no doubt additional material accumulated by him on the Expedition, seems evident. For instance, his journals and diaries from April 7 to July 3, 1805, September 11 to December 31, 1805, January 30 to April 3, 1806, and April 4 to June 6, 1806, as well as sundry notes of various kinds such as

a first draft of entries from April 16 to 21, 1806, were found in 1903 by Thwaites in what now is known as the Clark-Voorhis collection, all of which were then in the possession of Clark's descendants.

One of the questions at the trial pertained to the manner in which General Hammond acquired possession of the Clark notes. The Government did establish that General Hammond, who had been appointed Dakota Superintendent of Indian Affairs at Yankton, South Dakota, was instructed to close, and did close, the Central Indian Superintendency at Lawrence, Kansas, in 1878. Clark, either as Indian agent or as Governor of the Territory of Missouri up to the time of his death in 1838, had been in charge of the Indian Agency at St. Louis, an agency whose locale and records were moved at various times. After Clark's death, and until some time in 1878, the records of the St. Louis Agency were located at Lawrence, Kansas. The Government contended that it was reasonable to assume that Clark had left these notes at the St. Louis Superintendency when he was an Indian agent, and later when the agency was removed to Lawrence, Kansas, the notes were removed by a succeeding Indian agent to that place. Such an assumption may seem tenable, but of course it is entirely conjectural. Clark may have given or disposed of them to some other Indian agent who succeeded him, or who may have subsequently acted in that capacity. But the Government's claim to title or a paramount right of possession could not arise merely because the notes may have been left by

Clark in some depository or desk available to him when he was Indian agent at St. Louis. Obviously, the notes were not made in connection with Clark's duties as Indian agent, nor did they have any relation to the affairs of the agency. A span of 40 years had elapsed after Clark's death when General Hammond appeared at Lawrence, Kansas, to close that Indian agency. If he did obtain the notes then upon the assumption that Clark had abandoned them, the Hammond family retained them in their exclusive possession for some 75 years. And if these papers were found among the accumulated records of the agency at Lawrence, Kansas, it must be that Clark had considered them as his own personal property and not as property belonging to the Government. In any event, I was satisfied that the conjectures made by the Government did not arise to the stature of proof by a fair preponderance of the evidence, first, that General Hammond, a distinguished Civil War General, had pilfered these papers while performing an official duty in closing the Lawrence Indian Agency, and second, that the Government had failed to sustain by a fair preponderance of the evidence that it ever had title or the paramount right of possession to the Clark rough notes.

When the undisputed evidence established that fruits of the Expedition produced by Clark, so far as information regarding the first leg of the journey from Camp Dubois to Fort Mandan was concerned, had been made available to the Government in three journals deposited at President Jefferson's request with the American

Philosophical Society, and when these documents had slumbered in the vaults of the Society for some 75 years without the Government or anyone else having sufficient interest in them to publish any part of this vast material for the benefit of the public for whom Jefferson was so much concerned, it was difficult to understand the Government's belated interest in documents which now have no relation to the purposes for which Jefferson instructed the keeping of notes. And although the Lewis and Clark documents left with the Society may be said to have reposed there for the benefit of the Government, there was no indication that the Government ever sought to avail itself as such third party beneficiary of the trust by carrying out the hopes of Jefferson with respect thereto.

It should be emphasized that Jefferson's only interest in the keeping of diaries was to enable the American people to obtain by a publication thereof the information regarding the vast unknown region through which these men traveled. When thus published, the diaries themselves were of no concern to him as historical documents. In fact, Jefferson stated in one of his letters that once the information contained in Lewis's diaries was made available to the Nation, the Lewis heirs might desire to keep his original writings as a memento of their distinguished relative. And everything that Clark did with respect to the notes in controversy and those in the Clark-Voorhis collection fully sustains the view that, as President Jefferson wrote with respect to the Lewis original notes, he assumed that, after the Gov-

ernment had obtained the information contained therein, these writings belonged to him.

Thus I conclude with a brief sketch of the saga *From the Attic to the Courts*. And where did these notes fi-

nally repose after the litigation ended? My information is that they now rest in the library of Yale University. Surely, both Clark and President Jefferson would have approved of that disposition.

AMERICAN ASSOCIATION OF LAW LIBRARIES

Application for Charter Certificate

Under the *Grandfather Clause* of the Certification Plan as adopted by the members on June 30, 1960, all active members of the American Association of Law Libraries who have had five years professional experience in a law library may apply for a Charter Certificate. *Active members* includes individual members and all members designated under institutional memberships. The *Grandfather* period expires five years from the date of adoption. Because of procedural formalities, the Executive Board declared the *Date of Adoption* to be January 1, 1961. Application for a certificate is entirely voluntary, no member is required to apply for a certificate, and no member will lose any rights or privileges by not applying. The effect of the Certificate is to certify that the Association considers the holder a qualified law librarian.

Application should be made to William D. Murphy, Treasurer, 2900 Prudential Plaza, Chicago 1, Illinois. The fee is \$2.00.

"Musings"¹

by HON. CHARLES S. DESMOND, *Chief Judge of the Court of Appeals,
New York*

Mrs. Toastmaster Gallagher, this is a big night for the Gallaghers. I am grateful to the person who thought of inviting tonight Judge Gallagher of the Supreme Court of this state, an eminent jurist and a cherished friend.

There is a coincidence, interesting to nobody except Judge Gallagher and me. I have a bachelor son 31 years old who is a Justice of the Peace in the town of Eden, Erie County, New York, the lowest level of the judiciary in our state. Judge Gallagher by this startling coincidence has a bachelor son 31 years old, a judge of the municipal court. Now I like that coincidence.

I am particularly grateful for the hospitality extended to me by my publishers. They have published books with a larger sale, I understand. However, we are prepared to give any customary discounts, are we not, Lee?

We just have to get rid of those books.

I am grateful for the West Company's hospitality on this lovely, shining day in the city of Minneapolis, and I assume that you have noticed as I have that the Minneapolis and St.

Paul area is not an inappropriate place to have a meeting of law librarians because, as you will remember, the first St. Paul was a prolific writer on the law.

Miss Farmer, Miss Snook, Miss Finley—I am afraid to omit anyone of those. I cannot yet understand, despite some coaching, why this Association needs three presidents at once. When I was asked to speak here I was, frankly, a little worried. From childhood I have been terrified of librarians, and that psychic block has returned. I reassured myself by recalling the two librarians with whom I have closest contact—Peggy Leininger and Frank Waters. They are such sweet and lovely people that I was reassured. I inquired as to what a speaker is supposed to talk about at an AALL banquet, and I got the answer which is always considered, I suppose, gracious and sweet, but terrifies a speaker: Talk about anything you like.

We had a dinner in Buffalo not long ago at the Hotel Statler, a large hotel nearly as big as this one, and there was a long line of speakers. The dinner finally wound its weary way to the end, and those who were still there dragged their weary bodies out of the room. The night cleaning crew came in to clean up the debris. One of the cleaning women noticed there was still a man sitting up on the platform, so

¹ Address delivered at the Annual Banquet of the American Association of Law Libraries on June 29th, 1960. The meeting convened in the Hall of States of the Hotel Leamington, Minneapolis, Minnesota. Miss Frances Farmer, President, presided with Mrs. Marian G. Gallagher as Toastmistress. Mr. Lee Slater, President of the West Publishing Company, introduced Judge Desmond.

she went up and got the night manager. He came in. He, too, was surprised, of course, to see one person still sitting at the speaker's table.

He approached the diner politely and said, "Sir, what, how?"

He said, "Sir, I am the next speaker."

We have done better tonight, and I understand I am the last speaker. I was told that I could talk about anything that I wanted to. I have taken that quite literally, so my remarks tonight are going to be musings by me. Lee Slater has disclosed to you—I don't have to be coy about it—I am old enough to have been in the First World War. Last week in Buffalo I attended my 40th anniversary dinner celebrating the 40th anniversary of our graduation from the University of Buffalo College of Law, and there was a young woman there—I say a young woman, if you can imagine that at a 40th anniversary. There was reread to us that night a class prophecy that this woman lawyer had written 40 years ago, and it was quite remarkably prophetic because she had given herself a prominent place in the prophecy and had notified us 40 years ago that she was going to be a woman judge, and she was the first elected woman judge in our town. She had predicted also a judgeship for another member of the class, not me, and had predicted what court he was going to be on, and that, too, came out well. She had predicted that one of our members should become the Mayor of the City of Buffalo, and he became exactly that.

I got to thinking that night, of course, and I lay awake worrying. You

lie awake after your 40th anniversary dinner, you will find, and for at least two reasons. One is that you are no longer so well able to stand the convivialities, and, second, it has been forced on your attention indisputably that you are on the other slope of the hill.

I got to thinking—and this is an excuse for what speech I am going to make—of what would happen to the court and the law and the law schools in the next 40 years. What is going to be the status, the state of the administration of justice in these United States and of the law schools, law libraries, for that matter, and the profession when comes the year 2000, and when my class holds its 80th reunion, Desmond, J., in absentia?

So I am going to give you a few predictions. Now you may be amused or bemused by them. Some of them are fantasies, some of them are serious predictions, and I think some of them will come true. First, about courts and judges. We have in New York State, and it is the situation in the large centers of population in most states—we have great and increasing delays in the trial of some civil cases. We have something in big American cities that does not get quite so much attention but is even more disturbing, I think. There are great delays in the trial of criminal cases in the big cities. In the great metropolitan centers, California, New York, Chicago, all kinds of expedients have been attempted, all kinds of more or less *ad hoc* procedures have been put into force, and they have been successful to a degree.

It is unquestionably true in the State of New York—and I assume it

must be elsewhere—the trial judges today work very much harder than they did twenty years ago when I was a trial judge for a year in Western New York, but these things are not accomplishing their purpose. The speed-up of the trials, the increased pressure of judges to dispose of the business merely brings more and more and more civil cases, mostly, of course, accident cases.

What is going to be done about it? What will be done between now and the year 2000 when begins the twenty-first century A.D.? Well, we have to face up to the necessity of deciding whether we are willing to adopt—and I say this is not a matter really for the profession or surely not for the judges, or the law librarians, but is a matter of high public policy—the really radical but probably essential change of eliminating civil jury trials which would greatly speed up all our court calendars. Now that is not a popular subject. I have never heard it mentioned anywhere in a discussion of lawyers or laymen where it was well received, but it is hard for me to believe that 40 years from now we will still have the time-consuming, energy-consuming, money-consuming, delaying system which, as you know, has long since been abandoned in England, which was the birthplace of the jury system, of civil jury trials. I think there will be a lot of other changes in the courts. I think and hope that the trial, the decision of civil disputes, accident cases will still be in the courts. I think there is a value to—I say this as a professional judge, of course—I do think there is a value and a solemnity, a sort of finality of acceptance to

a court decision that you do not get in other types of arbitrament.

I think we are going to see a great increase in the importance and perhaps the number of institutions like the New York Seminar for Appellate Judges of which Lee spoke, and for the success of which the West Publishing Company is so largely responsible and should be so greatly praised. Judge Gallagher and I were fellow members of that Seminar last year. It brings to New York University Law School every year about 20 judges, one man from a court, from the highest state court, and the Federal Court of Appeals. It is a most rewarding experience. It is run quite informally, but according to a schedule, and it provides for a brand-new kind of friendly exchange of ideas among judges from the farthest part of this country. I have enjoyed it tremendously.

I think we are going to have a great increase in the importance and standing of judicial conferences, not the kind of conference exactly that we have in New York which is a kind of administrative body for the state courts, but actual conferences such as are held in the Federal courts where judges get together and exchange ideas.

We are attempting something in New York beginning this fall which I think we are adopting from the Federal System which I think will expand and grow—sentencing conferences, getting together of judges of coordinate courts in an effort to, shall I say, systematize, make uniform as far as can be done the sentencing of culprits. You cannot always give two people

the same sentence who are convicted of the same crime for various reasons, but at least the judges can agree on the considerations which will move them in imposing sentences.

There is a great increase in the use, and will be greater, of law clerks, of young men out of law school who are willing to devote some time to aiding judges as research assistants, but I think, and I have not heard anybody else agree with this, so it is probably wrong—I think that as time will go on law clerking, law researching for judges is going to become more of a career, and that will come when these jobs are upgraded, when the salaries are increased so that there will be an incentive for young men not just to take a job like that for a year or two before getting started in practice, but really to give their lives to it as research assistants, and I think people like that will be very valuable, and I think it will be a great aid to effective research.

We are attempting to revise the civil procedure of New York State. It is an enormous job. We have the most complicated court system of any jurisdiction in the world, partly because we are such a large state, but partly also because we have just let the thing grow. The Civil Practice Act of New York has not been thoroughly revised in 40 years. In that time it has actually been amended by the Legislature—we don't have so much rule-making by courts in New York. We have practice regulations by legislation. That Civil Practice Act has been amended by actual count more than 1000 times, so it has gotten to be a great, bulky, amorphous citadel of confusion.

I think as the state gets bigger and the amount of litigation grows and the number of courts and judges grow, that we have got to go all the way back and instead of continuing it, adding little bits of procedure to our sets of rules, I think we have got to go all the way back and try for absolute simplification. I think it is possible. It will be a real revolution. In other words, I think that we have got to convince ourselves that we can not have every little stage and every lawsuit in every court specifically and closely regulated. In other words, I would like to see the day—and again I talk as a professional judge, but also as having had some experience as a lawyer. I think a lot more discretion should be given to the judges in the courts, somewhat like the Federal rules, but even simpler, leave the judges to apply them and fill in the gaps as they go along.

As to lawyers, I am very much impressed by the accomplishments of integrated bars, integrated, mandatory membership of lawyers in the bar now in vogue in 26 states. I think it has enormous potentialities for our profession. As in California it provides a large fund, a lot of money which can be used properly, used for a true public relations program which our profession so badly needs as it is being so thoroughly degraded by every medium of public expression in this country. Do what I do. Take any big city newspaper. Take the *New York Times*, a very conservative newspaper with world-wide circulation. Take the *Times* any time and run through it hurriedly. Run through the *Times*, and take every article, every news

story, and the editorials (if there are any) that discuss the law and lawyers, and you will find the score is against us about twenty to one. We have a story to tell. The bulk of law practice is quiet law practice in offices by quiet and devoted lawyers who are the best of citizens in their communities and who give themselves freely and fully to the great cause that we serve—the cause of public justice. You never hear of them in the newspapers, in radio, movies or television. Not to be envious of our brothers of the medical profession, but they are hailed as angels of mercy. What are we hailed as? When did you last see a lawyer portrayed in any such presentation as an admirable or worthy person?

I think another way to accomplish the same purpose, again through the integrated bar, is by a real tight—we don't like to talk about this too much—but one of the real purposes of an integrated bar, one of the prime purposes is a strong, tight, sharp, effective disciplinary program democratically run by the lawyers themselves where lawyers do discipline themselves, but which pervades every part of the state, not only the big cities where there are strong local bar associations, but out in the hinterlands where discipline is needed just as much.

What is going to happen to the law schools in our 40-year prognosis? I have a hunch, and this is a pure hunch, that 40 years from now there will probably be fewer law schools than there are today. Law schools have proliferated in this country in a way that was never heard of or dreamed of anywhere else in the world. I do not

know how many approved law schools there are in the country. There are over 100 surely. We have ten in New York State alone. With the increased costs of running schools, with the increased competition, shall I say, for good students and good faculty people, it is going to be a lot harder for the smaller law schools, the weaker law schools, to continue. Now, this is one man's guess. It may come out some other way, but of this I am fairly well convinced, the law schools must have and will get, I think, when the bar is sufficiently alive to this—the bar is very slow in coming alive to these things, but when we are convinced of a need, we usually supply it. I think the need is vastly increased financial support by the bar of law schools. It is an absolute must and an essential.

I would like to see the day when a law school gets most or all of its support from the bar, and when most or all of the students in the law school are supported by scholarships or loans. I think that when that day comes we will have more post graduate education under the auspices of the law schools, and we will have more training of lawyers in specialties.

I think bar examinations need a lot of examination and appraisal. I have never been able to understand how it can be that the graduates of the very best law schools—I do not know what the situation is in Minnesota—but in New York the very best law schools are lucky if 70 per cent of their graduates on the average pass the New York Bar Examination the first time. The weaker law schools in New York are lucky if half their grad-

uates pass the bar the first time. I understand that nation-wide—and I hope I am not too far off of these figures, Dean—I understand that nation-wide the average of those who pass the first time is about 50 per cent.

Now I have never been able to understand that, and nobody has ever explained it to me, although I have talked to bar examiners and read their publications. I have never been able to understand why not all the graduates from the best law schools do not pass the bar examination. If a man goes to a good college and is a high standing student at a distinguished law school and takes the New York Bar Examination and flunks it, I do not know what we have proven. I do not know where we have arrived. To make it almost worse, almost everybody who takes the bar examination, I talk about New York, and flunks it, keeps on taking it and ultimately passes it. Now what are we proving?

I hope with a few other people—with the assistance, I hope, of the American Bar Association—to persuade some great American foundation to make a study such as I think has never been made in this country of the whole subject of bar examinations.

I mean to probe it to the bottom to see whether there is validity in our system of bar examinations, whether we need bar examinations, and if so, whether they are fulfilling their proper purpose.

Now I have trespassed on your very great, good nature. Some of you have even tried to give the appearance of listening. Like Frank Waters, for instance, who is one of our employees and who must listen. I am staring right at him. But I don't really apologize because I think these are subjects that we must be interested in, and I am assuming we are.

The judges and the lawyers and the teachers and the librarians are all in the same boat. For better or for worse we have committed ourselves, we have given our lives and such abilities as we have to furthering the great cause of justice. I like to think that we are something more than just workaday practitioners. I think we are keepers of a dream for our time, one of the oldest, the best dreams of the human race, a dream that was old when the world was young, a dream that will never die, a dream of open courts dispensing equal justice, the dream of peace and good will through law. Thank you very much.

In Memory of Ester E. Motz

Ester E. Motz, head cataloger of the University of Minnesota Law Library, died unexpectedly on September 9, 1960 at the age of sixty-one.

Miss Motz was a graduate of the Moorhead (Minnesota) State Teachers College and taught for ten years in Minnesota, Wisconsin and Indiana before obtaining her library degree from the University of Minnesota.

For nearly thirty years thereafter, Miss Motz served the University Libraries in various capacities. From 1931 to 1935, she was in charge of the Arthur Upson Room. In 1935 she joined the staff of the Periodical Room of the Reference Department, serving this department until November 1944 when she transferred to the Law Library as cataloger. In her almost sixteen years of service in the

Law Library, Miss Motz was a conscientious staff member, devoting herself to the careful and accurate cataloging of the large and constantly growing Law collection.

Miss Motz was a member of the American Association of Law Libraries and a charter member of the Minnesota Chapter of the Association. As a faithful member of the St. Lawrence Catholic Church, she spent many hours organizing and operating its parish library.

Miss Motz will be greatly missed not only by her colleagues on the Law Library staff, but also by her many friends in the University Library system. She is survived by a sister, Ina Motz, and a brother, Roy Motz.

Caroline Brede

In Memory of David S. D. Jessup, Jr.

David Stuart Dodge Jessup, Jr. died on January 6, 1961 in the Long Island Hospital, Brooklyn of a heart condition. Born in New York City 49 years ago, the son of the late Dr. and Mrs. David Stuart Dodge Jessup, he received his college education at Hamilton College. Subsequent to college, he engaged in the insurance business for many years until health compelled him to seek less arduous work.

From 1955 to 1959 he was employed

in the New York Law School library. When a vacancy occurred at the law firm of Carter, Ledyard & Milburn, his insurance and law school background readily gained for him the position with that firm of assistant librarian, which he held until his death.

David Jessup came into our profession late in his life, but he adopted it with enthusiasm and dedication. We in the Wall Street area particularly,

will miss his warm smile, his cheerful disposition and above all, his kindness. The spirit and courage of our former colleague remained undaunted to the end—seconds before he died, when asked how he felt, he replied "fine!" This was typical of David Jessup.

He leaves his widow, Libby Jessup,

librarian at Cadwalader, Wickersham and Taft. She has suffered an irreparable loss. We hope that she will take some measure of consolation in the knowledge that David, her husband was a fine, conscientious librarian, who was unsparing of himself in the best interests of library service.

Beatrice S. McDermott

In Memory of Fred Eugene Rosbrook

Fred Eugene Rosbrook, former Librarian of the Appellate Division Library at Rochester and a Life Member of the American Association of Law Libraries, died December 13th, 1960 at the age of 84.

A native of Watertown, New York, he was graduated from Cornell University Law School in 1906, and was admitted to the New York Bar the same year. After serving as Editor of the legal publications for the Edward Thompson Company from 1907 to 1915, he served as the Acting Librarian to the State Law Library in 1918. Mr. Rosbrook was appointed the Law Librarian of the Appellate Division Law Library at Rochester in 1919, and served in that capacity for 37 years. He retired in 1956 at the age of 80.

Over the years, the Appellate Division Library increased to nearly 100,000 well balanced, workable and scholarly volumes. The collection on legal literature was outstanding. He developed a classification system which is still being used in the library, and that was copied by many others.

Mr. Rosbrook's keen legal mind, his

knowledge of the law, and his intellectual attainments gave him distinction among the members of the Bar. The warmth of his personality won him a host of friends throughout the area of Western New York which is served by his library. He was at heart a teacher, and found his greatest joy in assisting young attorneys and students of the law. He gladly shared his time and knowledge with them, and with the members of his staff.

He was the editor of various legal publications, and the author of others, and found time to assist many editors, writers and teachers in an advisory capacity.

He is survived by three children: Mrs. Donald Nichols, Mr. Neil F. Rosbrook, and Mr. Gifford A. Rosbrook. Theirs is a great loss, but it is hoped that they may find consolation in their father's great love for his family, and for his friends and professional associates whom he served so faithfully. I shall always be glad that I had the opportunity to work with him, and shall always miss him.

Lois Hill Dean

Questions and Answers

Compiled by JOHN W. HECKEL, Head Reference Librarian

*Los Angeles County Law Library
and*

*KATHLEEN G. FARMANN, Assistant Director of Research Services
Ohio State University Law Library*

Question:

Can you recommend a critical bibliography, that would describe and identify the relative merits of early American legal materials?

Answer:

J. G. Marvin's *Legal Bibliography* might well serve your purpose. Originally published in 1847 by T. & J. W. Johnson of Philadelphia, the book was reprinted in 1951 by Dennis & Co., Inc. Including copious descriptive and critical comment, the volume collects "the Titles of American, and most of the English, Irish, and Scotch Law Books, from the earliest period to 1847, together with such Continental Treatises as are generally referred to by the Bench and Bar of Great Britain and the United States."

You might find something of additional interest by consulting *Anglo-American Legal Bibliographies; an annotated guide* by William L. Friend, published in 1944 by the U. S. Government Printing Office. In this volume an historical survey of Anglo-American legal bibliography is followed by an alphabetical list of various types of legal bibliographical publications except "works devoted

exclusively to American statutory materials, and library and publishers' catalogues."

Question:

We think that we may be missing one volume of the *U. S. Code Congressional and Administrative News*. Our set begins with a volume published in 1942, apparently covering 1941 legislation. However, references in Price and Bitner's *Effective Legal Research*, at pages 16 and 49, and in the fifth edition of *How to Find the Law*, at page 75, indicate that the coverage of the *U. S. Code Congressional and Administrative News* extends back to 1939. On the other hand, the index to legislative histories in the *U. S. Code Annotated* covers 1941 to 1948, which would seem to indicate that our 1941 beginning date is correct. Can you resolve our problem regarding this set?

Answer:

Your question was referred to the publisher of the *U. S. Code Congressional and Administrative News* with the following definitive result.

"The *U. S. Code Congressional and Administrative News* was formerly known

and designated the *U. S. Code Congressional Service*. This designation prevailed until 1951 when the title was changed to *U. S. Code Congressional and Administrative Service*. In 1952 the title was again changed to *U. S. Code Congressional and Administrative News* which is the title that prevails today.

"Beginning in 1929, and through and including the year 1940, the congressional acts were published in a pamphlet service in conjunction with the *U.S.C.A.* This current service was designed as a temporary service for the subscribers or owners of the *U.S.C.A.* The acts enacted during the years 1929-1940 were not published in bound form on an annual basis.

"Beginning in and since 1941, the congressional acts have been published in periodic pamphlets throughout the session and then republished in bound form on an annual congressional session basis.

"The Legislative History feature covering the Committee Reports appeared for the first time in 1948 and has continued since that time."

Question:

In a recent article which I read, the author mentioned that she used Library of Congress proofsheets as an acquisition tool. What is the subject content of these sheets? Would their use be practicable in a law library?

Answer:

The eighth edition of the *Handbook of Card Distribution*, issued by the Library of Congress in 1954, describes proofsheets, on page 56, in this way.

"Before the catalog cards are printed, proofsheets are printed for the use of assistants in the Library of Congress and other United States Government libraries and for sale. A few of the larger libraries find it advantageous to subscribe to the entire output of proofsheets of catalog cards as a means of se-

lecting books for purchase and of obtaining at the same time the L.C. card numbers, which are used in ordering the corresponding cards. Specialists and specialized libraries subscribe to the proofsheets issued in their particular fields, such partial subscription being rendered practicable by the fact that titles are classed on the proof, and each proofsheets (usually containing five titles) has a heading showing to what class the titles on it belong."

It has been ascertained that currently the Library of Congress averages approximately 856 proofsheets annually in the classification "Law." Available on white stock or on thicker and more durable manila stock, these proofsheets may be secured in either galley or cut and punched form. The cost for such a partial subscription of proofsheets, limited to those in the classification "Law", would be four cents per sheet plus postage. An additional monthly service charge for cutting and punching partial sets is made.

Since the Library of Congress maintains a schedule of weekly issuances of proofsheets, in each class, their utilization seems a practicable acquisition device for a law library.

Question:

Is there a subject index to United States treaties?

Answer:

The *Treaties in Force* published annually by the Department of State lists them by subject under each country. Five subject lists prepared by the Office of Treaty Affairs, Legal Adviser, Department of State are printed

as an appendix to Hynning, *Treaty Law for the Private Practitioner*, 23 *University of Chicago Law Review* 36 (1955). From time to time the same staff prepares other specialized lists of treaties on particular subjects. These lists are usually typed or mimeographed and are revised periodically. They are furnished upon request.

ADDENDUM: Re Checklist of Judicial Council Reports

In *Questions and Answers* of August, 1960, the most recent checklist of Judicial Council reports, printed in volume 51 of the *Law Library*

Journal, at page 125, was inadvertently overlooked.

Entitled *State Judicial Councils, Judicial Conferences, Court Administrators, and related Organizations, With a Summary of Authority for Their Organization and a Checklist of Publications Issued Since 1947* the manuscript was a condensation of a more detailed study made by Marian G. Gallagher and her staff for the Washington State Judicial Council.

The checklist portion of the study continued Merican's *A Check List of State Judicial Council Reports from Their Beginning Through 1947*, 41 *Law Library Journal* 135-144 (1948).

CURRENT COMMENTS

*Compiled by VIOLA A. BIRD, Assistant Law Librarian
University of Washington Law Library*

Classification Scheme of the OAS Official Records Series Adopted

The Secretary General of the Organization of American States recently announced a new plan for classifying the official transactions of the Organization that are published by its General Secretariat, the Pan American Union. This classification scheme is used only for the OAS Official Records Series; PAU Informational and Technical Publications will be classified later in a second series according to a separate scheme.

The new system groups the publications of the six organs of the OAS into a single, unified plan which facilitates identification. The scheme's uniform citations provide a ready-made arrangement plan; a combined author and subject index will cite the classification numbers.

Although English, French, Portuguese and Spanish are the official languages of the OAS, Spanish has come to be recognized as the principal working language and is used as the basis for the classification of the OAS Official Records Series; all the records of which are identified by the first element "OEA." The second element is that of the main subseries bearing a letter designation, most of which correspond to the organs issuing the documents. Further subdivisions are first by Roman numerals and then by Arabic figures, placing the document in sequence within that subseries. Generally, the language in which the particular document was prepared is shown and the date of issuance is given.

For example, the Guide to the Use of the OAS Official Records Series bears the classification:

OEA/Ser.Y/I.1 (English)
1 June 1960
Original: English

OEA —Organizacion de los Estados
Americanos
Ser.Y —Guides to the use of OAS Official
Records Series

I.1 —(Initial publication stating the classification system of the series, its purpose and contents.)
or
I.2 —Outline of the OAS Official Records Series.

OAS documents in stock at the end of 1959 will not be reclassified, but as the present supply is exhausted, reprints will be classified according to the new system.

Documents of Inter-American Agencies that are issued by the Pan American Union, as well as selected documents of Inter-American Agencies having their own publications programs, are included in the OAS Official Records Series. Addresses of Inter-American Specialized Organizations and other Inter-American Agencies are given in the guide (OEA/Ser.Y/II) and inquiries concerning publications of a particular agency should be addressed to it. Inquiries regarding the OAS Official Records Series should be addressed to Chief, Official Records Section, Office of Council and Conference, Secretariat Services, Pan American Union, Washington 6, D. C.

Rapid Progress Reported on National Gazettes Microfilming Program

The New York Public Library has prepared a list of 103 titles of master negative films which were completed by August 31, 1960 in its National Gazettes Microfilming Program. A second list shows filming in progress. The work has progressed so rapidly that it is difficult to keep the list current, but a complete retrospective catalog is planned for the near future.

The gazettes are filmed in independent sections so far as is possible; e.g., proceedings of legislative bodies, patents and trademarks, subsidiary legislative documents, etc. Parts of the gazettes may be ordered if the parts were extensive enough to justify separate filming and were bibliographically identifiable. The same procedure is followed with

respect to filming of volumes and years. Some of the less extensive gazettes may be filmed several years to the reel.

Both lists may be obtained from the Photographic Service Division of the New York Public Library which will answer inquiries concerning gazettes not listed.

Computer Performs Legal Research at ABA Convention

An IBM 650 "electronic law clerk" was used to demonstrate legal research for the lawyers in attendance at the 83rd annual meeting of the American Bar Association in Washington, D. C., August 29 through September 2. The demonstration was held in the IBM Washington headquarters and was conducted under the auspices of the University of Pittsburgh Health Law Center, the U. S. Patent Office, and the Electronic Data Retrieval Committee of the ABA.

The IBM computer was programmed to furnish "digests" and cite statutes and cases in the fields of health law, and oil and gas law. A separate unit, the IBM "RAMAC 305" was used to demonstrate patent searching by electronic process. Sponsors of this demonstration hope that it laid the groundwork for the establishment of a series of regional law document service bureaus across the nation each equipped with electronic computer systems which will save time and duplication in legal research.

In addition to the demonstration, the Electronic Data Retrieval Committee of the ABA presented a program of addresses on experiments which have been conducted with the electronic process in the study of law showing that costs of researching were lowered while accuracy and scope in research were increased. Mr. Vincent Fiordalisi, Law Librarian of Rutgers University, was a member of a panel of experts who discussed the problems of the application of the electronic data retrieval system to legal research. Proceedings of this Committee of the Bar Activities Section of ABA have been published by the Bureau of National Affairs.

Congressional Record Available on Microfilm

Complete runs of the Congressional Record and its predecessor publications have been microfilmed by University Microfilm, Inc., of Ann Arbor, Michigan. The Appendix sheets to the daily Congressional Record, which have not been published in the permanent volumes since 1954, may be obtained separately by session on microfilm.

New Addition to Northwestern School of Law Dedicated

The dedication of the Robert R. McCormick Hall and the Owen L. Coon Library climaxed the centennial year of the Northwestern School of Law. The Honorable Earl Warren, Chief Justice of the U. S. Supreme Court, presented the dedicatory address on May 14 closing the four-day centennial celebration. Following Chief Justice Warren's speech, honorary degrees were conferred upon the Chief Justice, Associate Justices Tom C. Clark and John M. Harlan; Lord Cyril John Radcliffe, Lord of Appeals of Great Britain; Erwin N. Griswold, Dean of Harvard Law School; and Frederick D. G. Ribble, Dean of the University of Virginia Law School. Dr. James Roscoe Miller, President of Northwestern University, dedicated the new addition. The Owen L. Coon Library will house the largest law collection in Chicago and the sixth largest law school library in the United States. (*The Reporter*, No. 22, p. 1-2, June 1960)

Administrative Editor of Supreme Court History Dies in Washington

Joseph P. Blickensderfer, Administrative Editor for the History of the U. S. Supreme Court being written under the Holmes Devise Fund, died in Washington on October 5. Dr. Blickensderfer had served the Permanent Committee for the Oliver Wendell Holmes Devise Fund, died in Washington on October 5. Dr. Blickensderfer had served the Permanent Committee for the Oliver Wendell Holmes Devise since January 1, 1957 as its executive officer and administrative editor.

In addition to establishing and administering an office in the Library of Congress for the Permanent Committee, Dr. Blickensderfer gathered information for the development of plans and procedures for the 8-volume history which is being written by Editor-in-Chief Paul A. Freund of the Harvard Law School and seven other authors. He assembled information and material from archival and manuscript sources for the authors and initiated new finding aids to locate primary sources for the history.

For many years Dr. Blickensderfer was a professor of English at the University of Oklahoma and editor of numerous professional publications. He gained wide experience in working with authors while serving as editor of the *United States Quarterly Book Review* from its inception in the Library of Congress in 1944 until it ceased pub-

lication in 1956. (19 LC Information Bulletin 574, Oct. 3, 1960)

Chicago-Kent Undergoes Extensive Remodeling

"A Program for Chicago-Kent" was the theme used by the Board of Trustees to raise \$300,000 needed for the remodeling and renovation of the Chicago-Kent College of Law. With nearly \$200,000 raised by the fall of 1959, construction was started in the expectation that contributions would keep pace with the remodeling which was completed in time for the opening of school in the fall of 1960.

In its remodeled buildings the College has five new, well-lighted classrooms, eight private faculty offices, a new comfortable student lounge, a new and enlarged library, a combination moot court and auditorium, a faculty library, a workshop for the Law Review, and a seminar room for group discussions. These added facilities will permit the expansion of faculty and curriculum, public conferences and seminars.

The last major phase of the remodeling project was the removal from the front of the building of the fire escape, one of the last in the Chicago Loop to disappear. Approximately \$100,000 of the total cost of remodeling was required for the elimination of this unsightly landmark, for it could not be torn down until the new elevator was placed in operation and the stairwells made fireproof. The extensive interior and exterior construction gives Chicago-Kent a truly modern plant. (Chicago-Kent, Letter #14)

Policies and Plans for Third Edition of Union List of Serials Set Forth

"The third edition of the *Union List of Serials* will not be a complete revision of the second edition," according to F. Bernice Field, ALA Representative on the Joint Committee, as she reported on the policies relating to this program. (see: Current Comments, Feb. 1960). The Joint Committee lacks sufficient funds for a complete revision and decided that it could not ask libraries to recheck all the serial titles in the second edition and its supplements. All the titles and holdings in the second edition and its two supplements will be reprinted with the titles merged into a single alphabet. Major changes in information and holdings which libraries are willing and able to supply will be included. In addition, a substantial amount of new material which began prior to January 1, 1950 will be included if it is within the

scope of the *Union List* as defined in the second edition, the determining factor for all additions.

Although a prospectus of detailed plans for the third edition was sent to cooperating libraries, there has been some misunderstanding about the recording of changes in holdings and additional locations. Many libraries reporting to the *Union List* for the first time have the misconception that their symbols and holdings for all titles they send in will be added to the titles of the second edition and its supplements. Other libraries expect there will be a revision of holdings for every title they have ever reported. The third edition will include only major changes in holdings of titles now recorded in the second edition and its supplements, such as the transfer or discarding of entire sets. Additional locations for serial titles not commonly held but which have been acquired by libraries since the second edition and its supplements also will be included.

The Joint Committee considers that ten locations are sufficient listings for commonly held titles and that additional locations will be listed only when considered both desirable and necessary to give better coverage geographically. Nevertheless, information about changes in holdings, as well as changes in titles, is urgently requested.

Approximately 800 libraries, including all contributors to the second edition and all contributors and subscribers to *New Serial Titles*, have been invited to participate in supplying information for the third edition. Since this will be the final revision of this list of serial titles which began publication before 1950 and which are within the scope of the second edition, the aim is to make the coverage as wide as possible. Libraries with unusual or unique holdings are urged to send listings. The Committee also invites libraries to participate which have serial titles not included in the second edition and its supplements or which are included but list holdings in less than ten libraries. Libraries having sets which are complete or nearly so should report them to supplement previous listings of incomplete sets.

The checking edition is being issued in four divisions of the alphabet with an allowance of three months after receipt of the part for the completion of the checking by the participating libraries. New titles not included in the checking edition but discovered in the course of searching should be added to the report. Reports on new titles will be added to the third edition up to the

time of final editing, which is expected to begin about April 1, 1961. Thereafter *New Serial Titles* will be a continuing supplement to the third edition including changes in pre-1950 serials as well as newly reported titles of that period. (4 *Library Resources and Technical Services* 303-08, Fall, 1960)

Conference on Use of Electronics in Law Sponsored by U.C.L.A.

A National Law and Electronics Conference, sponsored by the School of Law of U.C.L.A. in cooperation with the Committee on Electronic Data Retrieval of the ABA, was held at Lake Arrowhead, California, October 21-23. The AALL Committee on the Application of Mechanical and Scientific Devices to Legal Literature was invited to participate. Members of AALL who attended were: Myron Jacobstein, Roy Mersky and Louis Piacenza. The conference was called to consider the possible areas of application of machines to the administration of justice. Some of the topics considered were: Electronics and the Administration of Justice; Language of the Machine and the Language of the Law; Element of Predictability in Judicial Decision Making; and Electronics and Legal Research: Future Projects and Problems.

In addition to lawyers, law professors and law librarians, the Conference was attended by mathematicians, logicians, engineers, and computer experts. An initial step in the Conference was the definition of terminology and concepts necessitated by the diverse groups in attendance. Computer experts pointed out that a more rigid theory of law as well as the systematizing of legal language would be required before full utilization of the machines could be made. The proceedings will be published in the spring of 1961 by the Matthew Bender Co., edited by Professor Edgar Johnson of the U.C.L.A. Law School.

Class K Advisory Committee Prepare Initial Project

The Advisory Committee on the Development of a Classification Schedule for Anglo-American Law met at the Library of Congress October 21-22. Agreement was reached on a concrete proposal for submission to a cross section of law librarians and other experts for comment. The general outline embodying this proposal was expected to be ready for circulation early in December. The completion of this initial project will pave

the way for the extensive work needed to test and develop the general outline. (19 *LC. Information Bulletin* 613, Oct. 24, 1960)

Guide to Microfilms Will Be Published

Early in 1961 the Microcard Foundation will publish, in conventional form, the first inclusive list of microform publications. It will be called *Guide to Microforms in Print* and will be issued once a year.

The *Guide* will list or refer to all publications available in microform (microfilm, Microcard, Microtext, Microlex, Readex Microprint, etc.) from commercial publishers. It will also note publications of non-commercial organizations issuing lists or catalogs on a regular basis.

Among the organizations whose publications will be listed in *Guide* are: Matthew Bender & Co., The Microlex Corporation, The Microcard Foundation, Newsweek Corporation, The National Archives, The New York Times, Micro Photo, Inc., the Readex Microprint Corporation, the Microtext Publishing Co., University Microfilms, and the New York Public Library.

Rules and Regulations of the N. Y. Departments of Agriculture and Markets and Audit and Control Is Volume One of Official Compilation

The first volume of the new *Official Compilation of Codes, Rules and Regulations* of all New York State departments and agencies (see: Current Comments, Aug. 1960) was published in October. It is expected that the set will consist of 17 volumes. All will be in looseleaf form and will be supplemented monthly by the additional or replacement page method. Supplementation of each volume will commence immediately after the volume is published so that the contents always will be current and complete. Purchase price of each volume includes supplementation through December, 1961, by which time it is expected that the set will be complete. Thereafter, monthly supplements to each volume will be available on an annual subscription basis.

A uniform numbering system throughout the publication will facilitate the finding of a given rule. The set is annotated with Court decisions and administrative opinions, and supplemental material contains historical notes. When the set has been published, a topical index, arranged alphabetically, will be provided.

L.C. Acquires 13th Century Manuscript of Justinian's Institutes

An outstanding manuscript acquired recently by the Law Library of the Library of Congress is an annotated Latin text of Justinian's *Institutes*, identified by Stephan Kuttner, the Library's Honorary Consultant on the History of Canon and Roman Law, as having been written in the second half of the thirteenth century. Professor Kuttner writes, "The text of the *Institutes* and of the *glossa ordinaria* by Accursius surrounding it was written by several hands, with frequent corrections made by others. The text shows numerous deviations from the printed editions and is of interest for the study of the text of the *Institutes* known as its vulgata version in the thirteenth century, as well as for the study of two versions of the Accursian gloss." Several hands of about 1300 A.D. have added commentaries which seem to represent the teaching of a post-Accursian law school, probably at Parma.

The manuscript is of particular value for research on the Italian law schools after Accursius and before Bartolus, a period about which few facts are known. This is the earliest text of the *Institutes* in the Library of Congress and may be the earliest in any American library. Three prefatory leaves of the manuscript contain the Roman calendar adapted to the Saints' days observed during the Middle Ages and is the earliest such original calendar in the Library's collection. (17 *Quarterly Journal of Current Acquisitions* 242-3, August, 1960)

U. of Virginia Law Library Studies Remodeling Plans

The main floor of the U. of Virginia Law Library has undergone considerable rearrangement of card catalog cabinets, current code sections and the magazine rack as a prelude to remodeling. Frances Farmer, Law School Librarian, explained that, "Recent changes have been made in order to more adequately estimate just how substantial the remodeling must be." Presently needed stacks will be added in the lower level of the east wing to accommodate the additional set of the National Reporter System, consisting of over 4,000 volumes, which has been stored since being purchased in the last biennium. (*Virginia Law Weekly*, v. 13, #5, p. 2)

Book Exchange Organizations Meet with the United States Book Exchange

Representatives of National exchange or-

ganizations and the United States Book Exchange met on October 20-21, in Washington, D. C., for the purpose of discussing methods for closer cooperation in transferring unneeded material to libraries where it is needed and can be put to use.

Miss Lucile M. Morsch, Deputy Chief Assistant Librarian of Congress, was the moderator. The American Association of Law Libraries was represented by Myrtle A. Moody, Chairman of the Committee on the Exchange of Duplicates, and Margaret E. Coonan, AAL Representative to USBE. Other exchange organizations represented were the Duplicates Exchange Union of the American Library Association, the American Theological Library Association Periodical Exchange, the Medical Library Association Exchange, the Special Libraries Association Metals Division Exchange, the Special Libraries Association Science and Technology Division Exchange, and the Dallas Duplicate Exchange Clearing House.

After delegates described their exchange organizations, outlining the scope, methods, procedures, and problems of each, and their relationships with other exchanges, common problems were discussed. The operation of USBE was presented by its Executive Director, Miss Alice Dulany Ball.

Wood Fiber Paper Meets the Durability Tests of 100% Rag

From 1957 to March 1960 the Virginia State Library, under a grant from the Council of Library Resources, Inc., sponsored studies on the permanence of book papers. These investigations were carried on by William J. Barrows, Chief of Document Restoration. The results of the first two studies were published in 1959 under the title *Deterioration of Book Stock, Causes and Remedies* (Virginia State Library, Publications, No. 10). Conclusions reached were that the chemical wood papers commonly used in the printing of non-fiction books in the U. S. were so lacking in strength and durability that ninety per cent of those tested would deteriorate in less than fifty years. It was demonstrated that treatment of newly manufactured papers could neutralize acidity and prolong the life of such papers.

At the expiration of the original grant, the Council made a supplementary grant for the purpose of investigating an economically feasible method of manufacturing durable book paper and of devising methods to test such durability. The findings of this project, concluded on March 1, 1960, are presented

in *The Manufacture and Testing of Durable Book Papers* (Virginia State Library, Publications, No. 13, 63 p.). Nineteen book papers in current use and paper from seven old books (1534-1722) of rag content were studied to determine requirements for papers of marked strength and durability. Resistance to tear, ability to withstand folding and a minimum amount of acidity contained in the paper were considered fundamental properties of durable paper. Standard procedures established by the Technical Association of the Pulp and Paper Industry were used to measure fold, tear and acidity. From the results of these tests specifications for durable papers at the time of manufacture were suggested.

No existing papers were found that met these specifications in entirety but through experimentation two commercial papers have been made which do. These have been subjected to artificial aging tests developed by the National Bureau of Standards, from which it is estimated that they will last more than four hundred years. The two commercial papers currently being produced are manufactured of chemical soft wood fiber and are sized with Acquapel, a commercial product reported to be similar to nylon. These long-lasting papers are manufactured in a competitive price range with ordinary wood fiber papers at about one-fourth the price of 100% rag. No doubt they soon will be produced by other paper companies since the Virginia State Library has published the basic formula although the formula for Acquapel, developed by the Hercules Powder Co., is a closely guarded secret.

Librarians, university presses and publishers of learned and technical journals should point the way toward the use of these papers developed for the preservation of cultural and research literature.

Last August when the Law Library Journal Committee requested information about the use of this paper for its publication, Mr. Shell of The William Byrd Press expressed the opinion that a periodical such as the *Law Library Journal* "should have a sheet which will take halftone cuts satisfactorily. At the moment such a sheet has not come to my attention, but I believe that one or several of the paper mills are working on that problem." The William Byrd Press has had experience in the use of this long-lasting paper as publishers of the Virginia State Library report on its development.

On September 16, some 40 librarians, activists, book publishers, paper makers, printers,

and chemists met in Washington for a Conference on Durable Book-Paper. A summary of this Conference reports on recent progress on this project in *Permanent/Durable Book Paper* (Virginia State Library, Publications, No. 16, 53 p.) which may be obtained from the Virginia State Library or the Council of Library Resources.

Index to Foreign Legal Periodicals Report from the Continent

A survey on the documentation of periodicals, prepared by the Library of the Max-Planck Institut for Foreign Law and Private International Law at Hamburg, appears in *Nachrichten für Dokumentation*, 11. Jahrgang, 1960. It describes the Library's analytical cataloging of periodical articles relating to foreign, comparative, and private international law, selected from about 400 periodicals. Analytics from German literature, cumulated since 1945, have been published in *Zeitschrift für ausländisches und internationales Privatrecht*, 25. Jahrgang, 1960. The articles selected from non-German periodicals are analyzed in a classified card catalog at the Institute.

The authors give credit to both the *Index to Legal Periodicals* and the new *Index to Foreign Legal Periodicals* for relieving the work load of the documentation staff, since the periodicals indexed there are now excepted from cataloging. The report comments on the quality of the new *Index*, expressing satisfaction with the indexing and agreement with the selection of periodicals for inclusion. Aside from its coverage of non-German materials, there is noted its particular value to Institute patrons in the analysis of the 38 most important German language periodicals.

Similar indications of the probable value of the *Index to Foreign Legal Periodicals* as a domestic law finder appear in reviews in *Izvestija Vysschikh Uchebykh Zavedenii Pravovedenie*, Leningrad, 1960, No. 3, p. 176, and in *Revue Internationale de Droit Comparé*, Anné 1960, no. III, p. 648. The former hails the *Index* as a source of knowledge about the works of Soviet lawyers beyond the borders of the Motherland, while also providing useful information about foreign legal literature.

The latter, written by René David, emphasizes the importance of the *Index* to comparative and international law scholars, but notes too that even those who have little interest in foreign law will find it useful, for

in France herself there is no other publication in existence which offers such ready access to articles in 31 French legal periodicals.

Author David also discusses the inconvenience, to the European user, of the *Index's* alphabetical arrangement of subject headings borrowed from the common law, and cites examples of important civil law topics for which there is no exactly corresponding subject heading in the *Index*. For those who are not familiar with the common law, he anticipates increased usefulness when the *Index* editors complete their concordance of English headings with headings in European languages.

William B. Stern, Chairman of the A.A.L.L. Committee on Foreign Law Indexing, spent 17 days in the fall of 1960 visiting European

universities and comparative law institutes, studying the degree of acceptance there of the new *Index to Foreign Legal Periodicals* and receiving suggestions for improving its usefulness to European scholars. At the same time he laid the groundwork for the concordance mentioned by M. David. This translation of the *Index* subject headings into German, French, Spanish and Russian is conceded to be essential if the *Index* is to attain maximum usefulness in civil law countries. The translations will not follow the alphabetical form of the English subject headings, but will be classified, in the "systematic" form which is common in the bibliography of the civil law.

*Contributed by Marian G. Gallagher
Librarian, Univ. of Wash. Law Library*

REVISED ASSOCIATION CALENDAR

BIENNIAL INSTITUTE

Date	City	Headquarters
June 19-23	Cambridge	Harvard University

ANNUAL MEETINGS

June 26-29, 1961	Boston	Sheraton Plaza
July 1-5, 1962	San Francisco	Jack Tar Hotel

FIRM FACTS

Compiled by the Committee on Private Law Libraries

At the AALL Convention in Minneapolis, June, 1960, a panel meeting of Private Law Libraries was enthusiastically attended by some forty members. The subject of the panel discussion was a "Manual of Law Library Operations." We report herewith the progress and coverage of this manual.

Various members of the Private Law Library Committee have completed outlines of assigned subjects for the Manual. The Editorial Board, which is headed by Mrs. Libby Jesup, expects to have a rough draft of the text ready in December, 1960, with publication scheduled before the 1961 Convention.

As presently planned, the Manual will be divided into some eighteen chapters and will contain a bibliography and an appendix of forms which have been found useful in a number of private law libraries.

Several chapters will deal with technical aspects of the operation, such as acquisitions, circulation, interlibrary loan and cataloging procedures, the handling of memoranda of law and records and briefs, and arrangement of book collections. Several chapters will discuss personnel and communication questions, such as library supervision and reports to management. Consideration will be given to financial and bookkeeping problems of private law libraries.

Finally, chapters will be devoted to

legal reference and research, including legislative history compilation, use of government documents, looseleaf services and nonlegal materials. Housekeeping and space problems will receive due attention.

The following bibliographic items, collected from various sources, are offered as possible aids in unique problems always present in the Private Firm library.

Automobile Manufacturers Ass'n., Inc.
Automobile facts and figures, 1959-1960 ed. 72 p. New Center Bldg., Detroit 2, Mich. Price? Statistics on motor vehicle production, sales, ownership, travel in the U. S., drivers, taxes, and highways.

Belgian Industrial Information Service. *Reaching new markets from a business base in Belgium.* Belgian Ind. Inf. Serv., 630 Fifth Ave., N. Y. 20, N. Y. Free. Gives up to date information on economic and industrial conditions in Belgium.

— *U. S. businesses in Belgium.* Same. Lists the American firms operating in Belgium.

— Digest of new laws promulgated in July 1959. Same. These laws institute special incentives designed to promote industrial investments in Belgium.

Diamond, Solomon
An indexed bibliography of articles on government contracts. Reprinted from 20 *Federal Bar Journal* 167-

193. Fed'l. Bar Ass'n., 1737 H. St., N.W., Washington 1, D. C. 75¢.

Guide to legislation on restrictive business practices Europe and North America. European Productivity Agency of the Organization for European Economic Cooperative, 2 Rue André-Pascal, Paris 16, France. 2 vols. Looseleaf. \$12.00 each.

Hawkins, Harry C.: *Rights of businessmen abroad under trade agreements and commercial treaties.* U. S. Council of the International Chamber of Commerce, Inc., 103 Park Ave., N. Y., N. Y. 1960. 62 p. \$2.50.

Mueller, Rudolf and Steefel, Ernest *Doing business in Germany.* Fritz Knapp Verlag GmbH, Frankfort/Main, Kleine Sandgasse 2, Germany. 1960. 158 p. Price unknown. Summarizes the main features of major questions of German law which should be considered by the foreigner who operates, or intends to operate or invest, in Germany.

DID YOU KNOW:

The *International Executive* performs a reading service for those concerned with international business. The staff checks current books and over 200 periodicals, noting all mate-

rial basic to management of international operations. These books and articles are listed with descriptive notes in the reference section. A number of books and articles are summarized. Published quarterly by the Foundation for the Advancement of International Business Administration. Address: POB 104, Riverdale Station, New York 71, N. Y. Subscription \$15.00.

Official Airline Guide September-November 1960, part 3, offers a wealth of information on International travel requirements: Visas, reservations, passports. Location of Foreign Consulates in the U.S.A. with office hours listed, International airline maps. Monthly. American Aviation Publications Inc., 1001 Vermont Ave. N.W., Washington, D. C. Price varies with edition. North American ed. \$17.00 per year.

Antitrust Bulletin. Published monthly by the U. S. Department of Justice, Antitrust Division, Legal Procedure Unit, Room 3217. The Department, Washington 25, D. C. Contains District Court decisions in the Antitrust field which in many instances are not reported elsewhere. Contact Office of Public Information, Room 5119, at the Department or the Office of the Assistant Attorney General, Antitrust Division, Washington 25, D. C.

MEMBERSHIP NEWS

*Compiled by MARY W. OLIVER, Law Librarian
University of North Carolina
Chapel Hill, N. C.*

EDWARD J. BANDER formerly Librarian of the U. S. Court of Appeals for the First Circuit in Boston, is now Reference Librarian of the School of Law, New York University.

BOOKER T. DAVIS has joined the UCLA Law Library Staff as a Principal Library Assistant in charge of Circulation for evenings and weekends, replacing **PAUL R. WEBBER, III**.

JACK STUART ELLENBERGER is Librarian with the firm of Jones, Day, Cockley & Reavis, 1759 Union Commerce Building, Cleveland 14, Ohio. He was formerly Librarian with Carter, Ledyard & Milburn in New York.

FRANCIS GATES is Librarian at the Library, Continuing Education of the Bar, University Extension, University of California. He received his B.A. from the University of California at Berkeley in 1952 and his B.L.S. from the same institution in 1954. He is presently attending San Francisco Law School. Before taking his present position he was employed as Reference Librarian specializing in Labor History and Industrial Relations in the Social Science Reference Service, University of California Library, Berkeley. He has published various articles and bibliographies.

SIMON GOREN is Librarian with the law firm of Cleary, Gottlieb, Steen & Hamilton, New York. A native of Hungary, he went to Palestine in 1935, later enrolling in the Law School of the British Mandatory Government at Jerusalem, from which he graduated in 1948. After two years as Prosecutor, he practiced law in Haifa. Coming to the United States in 1959, he enrolled in the School of Library Service of Columbia University. After receiving his degree in June 1960, he accepted his present position.

MRS. AMALIA HARRISON is Cataloger at the Supreme Court Library of Alabama in Montgomery. Mrs. Harrison received a B.S. from the University of Alabama and an M.S. in Library Science from Louisiana State University. She has been employed in school libraries in Florida and in United States Army Libraries in Germany.

JOY M. HOLZ is Assistant Librarian for the firm of Shearman & Sterling & Wright, New York. A graduate of Queens College she received her LL.B. from Brooklyn Law School. She is a member of the New York Bar and has practiced law in New York City.

SHARON M. KALLOP, a new member, is Librarian at Bigham, Englar, Jones

& Houston, New York. She has attended Woman's Law Class at New York University, and has taken the course in Law Library Administration at Columbia University. She was Assistant Law Librarian at Cadwalader, Wickersham & Taft from 1948 to 1954 when she accepted her present position.

MRS. FANNIE KLEIN has been appointed Assistant Director of the Institute of Judicial Administration, New York University Law Center. She has been research coordinator and librarian of the Institute since its founding in 1952 and has also served as coordinator of its Foreign Jurist Program. She will continue as Librarian and Coordinator of the jurist program.

DAVID L. MOORE was appointed Librarian at Hastings College of Law, San Francisco on July 1, 1960, upon the resignation of HAZEL REED. He was formerly Legal Reference Librarian at New York University School of Law.

LOIS PETERSON, former Editor of the *Law Library Journal*, is now the Librarian at the U. S. Court of Appeals, First Circuit Library in Boston, Massachusetts. A graduate of the Massachusetts School of Art, she holds an M.A. in History from Boston University and a B.S. in L.S. from Simmons. She has been Librarian at Boston University School of Law, Senior Librarian at Massachusetts State Library, and Assistant Librarian at the Social Law Library.

ADA VAN DER POLL is Law Librarian for the International Nickel Company, Inc., New York. She is the holder of certificates from the American Institute of Banking, a B.A. from Hunter College and is presently working on a Masters Degree in Accounting at Pace College. She has had some law work at New York University.

RICHARD RANK has been appointed Law Librarian and Assistant Professor of Law at the University of Toronto. He was formerly Cataloger at New York University Law Library.

ARTHUR J. RUFFIER has been named Acquisitions Librarian at the Law Library, University of Washington, replacing G. ROBERT McCARTNEY. He has been Circulation Librarian at the same Library.

BETTY-CAROL SELLEN has been appointed Circulation Librarian at the Law Library, University of Washington in Seattle. She holds an M.S. in L.S. from the University of Washington. Prior to assuming her new duties, she was employed at the Brooklyn Public Library.

SARAH R. THOMSEN, a new member, has been Law Reference Librarian in the Nevada State Library since July 1958. A graduate of the Library School at New Jersey College for Women, Rutgers University, she has held positions in the Oakland Public Library, Look Magazine, U.S.I.S., Teheran, Iran, University of Southern California, Phoenix Public Library and Arizona State Library, Extension Division. She is a graduate of George

Washington University and has taken courses in law at that University.

with Carter, Ledyard & Milburn, 2 Wall Street, New York 5, New York.

AMONG OUR AUTHORS

MRS. DOROTHY B. CLARKE, Law Librarian and Assistant Professor of Law at the University of Kansas City reviewed Maurice Merrill's PUBLIC'S CONCERN WITH THE FUEL MINERALS. The review was published in the University of Kansas City Law Review, volume 28, page 86 for Winter 1959-60.

MRS. FANNIE KLEIN, Assistant Director of the Institute for Judicial Administration has completed a special survey of the Pittsburgh, Pennsylvania District Court to determine reasons for calendar delays. The report has been published by the Administrative Office of the United States Courts.

FRANCES McNAMARA, Librarian of the New York State Department of Law Library is the compiler of RAGBAG OF LEGAL QUOTATIONS which has been favorably reviewed in both the New York Times and the American Bar Association Journal.

NEW MEMBERS

The following have recently become members of the Association:

HERBERT M. ARMSTRONG designated by Loyola University Law School Library, Chicago 11, Illinois replacing MARTIN A. MOLNAR.

LOIS ARNOLD formerly an associate member is now an active member

EDWARD J. BANDER, newly designated institutional member by New York University Law Library, 40 Washington Square, South, New York 3, New York.

HUGH Y. BERNARD, Jr., new member, 502 Paul Spring Parkway, Alexandria, Virginia.

CAROLINE M. BOESCH, newly designated member for Temple University Law Library, 1715 North Broad Street, Philadelphia 22, Pennsylvania.

MARIAN BONER, institutional member with School of Law Library, University of Texas, Austin 12, Texas, replacing HENRY T. LOHRMAN.

MRS. IRENA BORYS, newly designated member for New York University Law Library, 40 Washington Square, South, New York 3, New York.

SAMUEL M. BRIGGIN, new active member, 131 West Maple Drive, New Hyde Park, New York.

JOSE M. CABANILLAS, new member for School of Law Library, University of Richmond, Richmond, Virginia, replacing MRS. ELLEN M. KEENE.

PAULINE CARLETON changed to associate member, 6429 S.W. 33rd Street, Miami 55, Florida.

JAMES R. CYPER, Alameda County Law Library, Court House, Oakland, California, designated as institutional

member replacing ROBERT W. HALEY.

BOOKER T. DAVIS, newly designated member, School of Law Library, University of California, Los Angeles 24, California.

EVALENA M. DUNN, Syracuse University College of Law Library, Syracuse 10, New York replaces BRUNO GREEN as an institutional member.

JACK STUART ELLENBERGER, new member with Jones, Day, Cockley & Reavis, 1759 Union Commerce Building, Cleveland 14, Ohio.

PETER ENYINGI designated as member for Cornell Law Library, Myron Taylor Hall, Ithaca, New York replacing MRS. BERTHA E. MOOT.

DAVID H. FEAGLER designated as a member by Indiana Supreme Court Law Library, Indianapolis 4, Indiana replacing NORMAN R. NEWMAN.

FRANCIS GATES designated as a new institutional member by the Continuing Education of the Bar Library, University of California, Extension Division, Berkeley 4, California.

REV. ALFRED F. GEIMER, new active member with the School of Law Library, University of San Diego, Alcala Park, San Diego 10, California.

MRS. AMALIA HARRISON designated as institutional member by the Supreme Court of Alabama Library in Montgomery, Alabama.

THOMAS S. HARTWIG, new member, designated by Wyoming State Library,

Supreme Court Building, Cheyenne, Wyoming, replacing MRS. HAZEL C. MERRICK.

CAROLINE C. HERIOT, new designated member for College of Law Library, State University of Iowa, Iowa City, Iowa.

JOY M. HOLZ, new active member with Shearman & Sterling & Wright, 20 Exchange Place, New York 5, New York.

RODNEY M. HOUGHTON, newly designated institutional member with School of Law Library, Montana State University, Missoula, Montana.

HALSEY D. JACOBS designated as a member by Cornell Law Library, Myron Taylor Hall, Ithaca, New York replacing HAZEL PADDOCK.

MYRNA D. JONES, new active member with the Library, Tennessee Gas Transmission Company, P. O. Box 2511, Houston 1, Texas.

RALPH H. KLAPP designated as institutional member by School of Law, Franklin University, Columbus 15, Ohio.

LEON M. LIDDELL designated as member at the University of Chicago Law Library, Chicago 37, Illinois replacing NORMAN BURSLER.

MILDRED D. McBROOM, new active member at Spokane County Law Library, 922 Paulsen Building, Spokane 1, Washington.

ELIZABETH MATKOV designated by Massachusetts State Library, 341 State House, Boston 33, Massachusetts replacing DENNIS A. DOOLEY.

DAVID L. MOORE, new member, Hastings College of Law, San Francisco 2, California.

CARROLL C. MORELAND, new associate member, USOM-K, IPBA, APO 271, New York, New York.

INGEBORG V. S. PAAS has been designated as a member by the Biddle Law Library, University of Pennsylvania, Philadelphia 4, Pennsylvania replacing MICHELE MUNCY.

PAUL H. PHILIPPY, new member from William Mitchell College of Law, 2100 Summit Avenue, Saint Paul 5, Minnesota replacing JUDITH A. BRANDT.

ADA VAN DER POLL, new active member, 8700 Boulevard East, North Bergen, New Jersey.

J. KELLY POOL, new member with Missouri Supreme Court Library, Jefferson City, Missouri, replacing WILARD REINE.

DEWEY FRANKLIN PRUETT, JR., new designated member for the Law Library, University of North Carolina, Chapel Hill, North Carolina replacing MRS. SARAH F. BELL.

RICHARD RANK, new institutional member, Faculty of Law Library, University of Toronto, Toronto 5, Canada.

BETTY-CAROL SELLEN, new member,

designated by the Law Library, University of Washington, Seattle 5, Washington.

CHARLES S. SMITH, new institutional member, replacing ROY MERSKY at Yale Law School Library, New Haven, Connecticut.

SYLVIA SMITH, new institutional member designated by Emory University Law Library, Atlanta 22, Georgia replacing MRS. JOSEPHINE HEREFORD.

W. O. TEAGUE, new member, replacing D. L. SAVAGE at Harris County Law Library 5th Floor, Civil Courts Building, Houston 2, Texas.

ANITA F. THOMPSON, new member, replacing HERBERT C. RICE at the College of Law Library, University of Toledo, Toledo 6, Ohio.

SARAH R. THOMSEN designated as a member by the Nevada State Library, Law Section, Carson City, Nevada.

JEANNE TILLMAN, newly designated member for the University of Virginia Law Library, Charlottesville, Virginia replacing MRS. JANE TEMPLE.

HELEN TSENG designated as an institutional member by Stanford University Law Library, Stanford, California replacing ELIZABETH RETAN.

RITA M. VAN BUREN, a new active member with Curtis, Mallet-Prevost, Colt & Mosle, 63 Wall Street, New York 5, New York.

DOROTHY WHEELER, newly designated member from the University of Virginia Law Library, Charlottesville,

Virginia, replacing MARTHA A. MITCHELL.

EARL WEISBAUM, newly designated institutional member by Los Angeles County Law Library, 301 West First Street, Los Angeles 12, California.

CHARLES M. WEYGOOD replaces WALLACE L. STOREY as institutional member from Stetson College of Law Library, Saint Petersburg, Florida.

MARY KAY WOLFF, newly designated by Bexar County Law Library, Bexar County Court House, San Antonio, Texas, replacing JOSEPHINE A. McGOWAN.

CHAPTER NEWS

The Southeastern Chapter, A.A.L.L. held its annual meeting at Vanderbilt Law School, Nashville, Tennessee, November 3d and 4th, 1960. A Seminar on Law Library Construction and Improvement was held with Dr. A. F. Kuhlman, Director Emeritus of Joint University Libraries as moderator. Dean John W. Wade of the Vanderbilt Law School spoke at the dinner on LIBRARIES AND COPYRIGHT. A discussion on Developments in Recruiting and Education of Law Librarians was led by Miss Elizabeth Finley, President-Elect, A.A.L.L. with Dr. David Kaser, Director, Joint University Libraries and Dr. William A. Fitzgerald, Dean, Peabody Library School as contributing speakers.

1960-61 OFFICERS

Association of Law Libraries of Upstate New York

President: Lewis A. Clapp
Vice-President: Gustav P. Blaustein
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Secretary: Rose Heck

Treasurer: Nancy Stirling
Directors: (include the officers and) Mrs. Alice W. Caswell, Peggy A. Leininger, Mrs. Elizabeth P. Reese, Frank Ruzicka

Chicago Association of Law Libraries 1960-1961

President: John C. Leary
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Law Librarians of New England

President: Paul F. Ferguson
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Vice-President: Marvin P. Hogan
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Law Library Association of Greater New York

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Treasurer: Mrs. Lucie S. Jurow
Secretary: Jacob S. Wexler
Directors: Mrs. Fannie J. Klein, Mrs. Libby F. Jessup, Mrs. Charlotte H. Sherr, Anthony Grech

Minnesota Chapter of A.A.L.L.

President: Arlette Soderberg
Vice-president: Mrs. Vera Carlson
Secretary-Treasurer: Ethel Kommes

Southern California Association of Law Libraries

President: William B. Stern
Vice-President: Mrs. Dorothy L. Heizer
Secretary: Agnes M. Montaldo

Southwestern Chapter A.A.L.L.

President: Hibernia Turbeville
Vice-President: Hazel A. Anderson
Secretary-Treasurer: Gueneth Babcock
Directors: Harrison McDonald and officers

BOOK APPRAISALS

Antieau, Chester James. *Commentaries on the Constitution of the United States*. N. Y.: Dennis & Co., Inc., 1960. Pp. xl, 416. \$10.00.

Professor Antieau's *Commentaries on the Constitution of the United States* is presented in hornbook style, which indicates that the volume is literate, readable and well organized. Typically, a table of cases, index and the Constitution are included. Perhaps the major value of such a work is that one who is not very familiar with a particular legal area can quickly digest the general legal principles unique to the area.

Such comprehensive coverage makes detailed analysis in treatment impossible. For example, this volume deals with "state action" in some four pages. This criticism, however, is unfair, for Professor Antieau has written a species of hornbook.

Therefore, limited by his objective, the reviewer believes that the *Commentaries* is a significant contribution to the world of constitutional lawyers. The bar and law schools should welcome this work for the simple reason that we have long needed a timely, scholarly, comprehensive statement of constitutional principles. In constitutional law, all other matters being equal, the most recent scholarship is certainly the most attractive.

Recommended for all law libraries.

CLIFFORD C. ALLOWAY

School of Law
University of Miami

Begin, Rev. Raymond. *Natural Law and Positive Law*. Washington, D. C.: Catholic University of America Press. Pp. xii, 177. \$2.00.

This book supplies, in readably concise form, a scholastic study of the general relation of the positive systems of law to the nature of man and of human society. It starts where Lon Fuller left off in *Law*

in Quest of Itself. After an introductory chapter on the notion of Right in general, the author presents the most significant feature of his dissertation: two chapters, in some detail, on the nature and function of natural law and positive law respectively. In the final chapter, he indicates that most of the conflicts between these two distinct but inseparable forms of law can be absolved. An adequate bibliography is included.

This work is limited. The currently published Brown, *Natural Law Reader* is a preferable small volume for readers concerned with a historical investigation of the various schools of jurisprudence. No special attempt is made by Begin to trace to their original source the ideas accepted or rejected. He doesn't pretend to be a Pound or a Stone or a Hall. However, his capsule-sized discussion of the objective content of natural law and of the meaning of immutable precepts should put to rest the long-winded Goble-Kenealy mutability debate, now in its fifth year (See 11 Hastings L.J. 440 (1960)). Moreover, Begin's investigations of the application of the natural law criterion and of the derivative criteria of law are highly recommended as being up-to-the-minute, on-the-level and to-the-point. This book deserves to be in the jurisprudence section of your library.

RICHARD A. HAUSLER

University of Miami
School of Law

Bell, J. W. and Spahr, W. E., *A Proper Monetary and Banking System for the United States*. New York: Ronald Press Company, 1960. Pp. viii, 239. \$6.00.

This book presents an analysis of weaknesses in the U. S. banking and currency systems with a "model bill" to correct "defects which have materialized as a result of mistaken policies during wartime and peacetime emergencies." The nine

authors of this report of the Executive Committee of the Economists' National Committee on Monetary Policy are generally prominent and of the older generation; the editors are emeriti. The technical competence they display is most impressive as are some of their minor recommendations (e.g. on centralized clearing, reorganization of Federal Reserve Districts, F. R. float, and short term vs. long term lending). However, many of the basic points of view and the general policy orientation would be regarded as out of date by most experts in the field. As much as most economists wish to fight inflation, few of them would agree that a return to a full gold coin standard is desirable or even reasonable in the 20th century. Also questionable are the report's recommendations in regard to: changing the structure of the Board of Governors of the F. R. System, the elimination of the Federal Open Market Committee, the opposition to extending credit controls to cover the relatively expanding secondary lenders, the opposition to co-ordinating credit policy with government lending and guaranteeing agencies and with fiscal policy, bases and uses for F. R. notes, limiting F. R. holding of government debt, and the relationship of the F. R. System to the Employment Act of 1946. Much of the credit control analysis rests on the "real bills" philosophy, the loser in a 150 year old argument in economic theory. Before anyone attempts to apply the major policy recommendations of this book, he is urged to read carefully a recent money and banking text, paying special attention to the lessons of the Panic of 1907.

A library concerned with maintaining a complete collection of all views on monetary and banking matters should acquire this book.

MARVIN M. KRISTEIN

State University of New York

Belli, Melvin M. and Jones, Danny R. *Belli Looks at Life and Law in Japan*. Indianapolis: The Bobbs-Merrill Company, Inc., 1960. Pp. 320. \$3.95.

Mr. Belli, famous or notorious San Francisco lawyer (depending upon one's viewpoint), has again demonstrated that under his flamboyance is a solid undergirding of painstaking research and preparation. He and co-author Jones attempt to acquaint the reader with the Japanese law and judicial system. Following Chief Justice Vanderbilt's dictum, "The significance of a system of law cannot be grasped apart from the environment in which it functions," the book is crammed with facts ranging from the culture of pearls to the evolution of the kiss in Japan. It is surprisingly free of personal comment or anecdote.

If there is a duty to contribute to world order through international law and understanding, this book is a valuable tool. It does not purport to supplant scholarly works, but would be read with interest by lawyer and layman alike. Belli is primarily an innovator. Should the example of this book be followed by others, it will be all to the good. The authors plan similar treatment of a number of countries, with Russia next on the agenda.

The book is well indexed, has an adequate bibliography, and the appendixes reflect the scope of coverage, including a calendar of festivals and a resume of personal injury judgments.

Because of its interest to the general practitioner and law student, it should no doubt be added to most libraries.

HOWARD P. PRUZAN

Miracle, Treadwell & Pruzan
Seattle, Washington

Birks, Michael. *Gentlemen of the Law*. London: Stevens & Sons, 1960. Pp. 304. £1 5s.

The author, who is Principal Clerk to the Registrars of the Chancery Division of the High Court in London, has written a lively, fascinating account of the legal profession in England from antiquity to modern times. For the American reader the development and differentiation between barrister and solicitor is particularly interesting. Most aspects of the legal profession, conveyancing, ethics, fees,

gowns, etc., are touched upon. We see the early days when an attorney for representation in court became a necessity. The life in medieval England comes alive through a case from a Year Book revealing the plight of a defendant who almost missed his day in court because of a flood on the king's highway. Much of the detail is built around the careers of men such as John Estgate who was attorney for Margaret Paston. The legal profession came into its own in the 17th Century and the 18th Century saw the need for the regulation of admissions to practice and ethical standards in an age when highwaymen could devote some of their spare time to practice. The Law Society was organized in the 1820's for more effective regulation. Legal education in the form of clerkships is described in the story of Philip Yorke and William Hickey, son of Joseph Hickey, a prominent attorney. There is a chapter on the practice of law in the colonies, particularly, India, Australia and the United States. The book concludes with a discussion of law offices since the war and the prospects for the future. While the book is not documented, there are bibliographies at the end of each chapter with references to Selden Society publications, and other source materials such as county records, law books of the time and manuscripts. The text is enhanced by the addition of 15 illustrations taken from portraits and drawings by Rowlandson, Phiz and lesser known artists. Most law libraries, except the smallest will want a copy.

JOHN W. HECKEL
Los Angeles County Law Library

Blix, Hans. *Treaty-Making Power*. London: Stevens, New York: Praeger, 1960. Pp. 414, \$16.00.

Not the treaty-making power generally but only some of its international aspects, mainly those of power attributed to agents exercising them on the international plane, are the subject of this interesting study. In the words of the author, the primary aim is the "identification of authori-

ties who are competent to express the final consent of a state to a treaty." After an introductory discussion of agents acting under the treaty-making power two particular aspects are stressed: first, the atypical situation where the power "is likely to be nonexistent or inoperative" and second, where "the treaty-making competence is regulated by municipal law." It is a pity that the central problem of ratification and its international implications was relegated to a study published by the author in the British Yearbook of International Law.

Within these limitations the book is a comprehensive, well organized and richly documented discussion. An extensive bibliography is added; *Buck, Control of International Relations in Modern Nations* (1957), should have been added.

Recommended to libraries with interest in international law.

S. A. BAYITCH

School of Law
University of Miami

Brown, Brendan F., ed. *The Natural Law Reader*. New York: Oceana Publications, 1960. Pp. 230. \$3.50 (bound) \$1.35 (paper).

This is the most recent inclusion of a jurisprudence book in the Docket Series of what might be labeled "compact" books that are easy to handle, easy to read and easy to own. In it, the various aspects of the perennial natural law jurisprudence, which is based on a moral attitude toward law, are illustrated by Brendan Brown's selected writings of philosophers from Aristotle to Wu. The editor, incidentally, has chosen quite a bit of his own earlier published writings. Brown is highly qualified to make the selections in the natural law philosophy as he has taught the subject for years and has written scores of well-received articles on the scholastic principles.

Today a dramatic resurgence of natural law discussion is taking place and is proceeding in two general directions, namely, the scholastic of Aquinas and Adler on the one hand and Kant and Del Vecchio

on the other. Brown wisely devotes the major part of the book to these two movements. In the minor part of the book, he examines, with too much scrupulousness, the historical revival of natural law.

The book's format is maddening in that there is no differentiation in style of type between what is a selected writing and what is an editorial introduction or comment. The index is poor so far as subjects, rather than proper names, are concerned. There is no bibliography but there are ample footnotes to the selected original materials.

The choice of materials cannot compare to the brilliance of Wu's in *Cases on Jurisprudence* (1958). The philosophical discussion cannot compare to the thoroughness of Begin in *Natural Law and Positive Law* (1960). However, all in all *The Natural Law Reader* is a carefully compiled compact book of which there will be enthusiastic use by jurisprudence students as well as by any philosophically-orientated professional law makers that you may be fortunate enough to have frequent your library.

RICHARD A. HAUSLER

School of Law
University of Miami

Brown, Wilmore. *The Legal Architect*. Charlottesville, Va.: The Michie Co., 1959. Pp. 246, \$5.00.

Since Wheaton v. Peters, 33 U. S. 591, judicial opinions have been fair game for the anthologist, and here, Attorney Brown has made an attempt to prove that judges are capable of wit and wisdom as well as good law in their opinions. Except for Justice Holmes, the contributors (Henry A. Fuller, John S. Wilkes, Michael A. Musmanno, Glenn Terrell and Earl R. Hoover are the author's favorites) are not internationally known; but folksy advice replaces erudition and earthy humor the profound in this collection that is not without its moments of entertainment.

A good many of the opinions arise from the petty problems of everyday life in the farmlands, and animals and sex, always

lively topics, are robustly considered with supporting citations. The concluding chapters of the book have been reserved for aphorisms of judges. Here the Honorable Logan E. Bleckley, Wilfred H. Jayne and Earl R. Hoover compete unsuccessfully with Justice Oliver W. Holmes.

Recommended for libraries with generous trustees.

EDWARD J. BANDER

Reference Librarian
New York University
Library of the School of Law

Commission to Study the Fiscal System of Venezuela (Shoup, Carl S., Director). *The Fiscal System of Venezuela*. Baltimore, Md.: The John Hopkins Press, 1959. Pp. xiii, 491, \$8.75.

This is a "mission-type" report of a commission of United States and United Kingdom economists and tax law professors. The 16 chapters reflect the mixed composition of the commission; neither the Venezuela economy nor the country's technical tax structure has been neglected.

The volume commences with a twenty page summary of suggested reforms where emphasis has been placed on the income tax. The first two chapters of the report are devoted to the distribution of income and general economic considerations relevant to the nation's capital and fiscal requirements. The ten following chapters cover specific tax levies, four of which deal with the income tax and its administration. The final four chapters cover the aims of the tax system, government accounting, costs of education and health, and non-tax revenue. An appendix describes the complexities of the exchange system, attempts a comparative analysis of the tax burdens of twelve hypothetical Venezuelan families, outlines the rate increases established in December, 1958, and critically examines the public debt restrictions. The general index is adequate.

The report is constantly mindful of the dominant position of the petroleum industry in the economy, and it faces the

fundamental problems of a capital importing nation dependent on a single product with a government attempting to meet the "rising expectation" of its people.

The book is a comprehensive, closely-written document containing much statistical data not elsewhere available and it is an important contribution to the growing literature in English on the world's fiscal systems (e.g., Harvard's World Tax Series). It should prove of particular interest to scholars of comparative taxation and finance, and to officials of other emerging nations (a Spanish edition is published by the Venezuela government). It could well be acquired by most libraries.

JOHN C. CHOMMIE

University of Miami
School of Law

Conference On Legal Education (1959).
The Law Schools Look Ahead. Ann Arbor, Mich.: University of Michigan, 1959. Pp. vii, 328. \$4.00.

This volume collates the proceedings, including discussion summaries and agreements, obtained at the 1959 Conference on Legal Education held at the University of Michigan. It is a book of opinion and reflects diverse views on the proper role of future legal education. More than one hundred persons participated, including law professors, practitioners, and undergraduate educators. The publication faithfully summarizes a variegated panoply of beliefs held by the conferees. It has no index nor bibliography, and its few footnotes are sparse indeed.

Viewed solely, but inadequately, from the perspective of educating students, legal education presents at least a triad of complexities: 1) how might law be made meaningful to students when significance requires an experienced background against which to test proposed law school solutions, but the law student is not experienced in the law; 2) how is the carry-over problem to be solved, i.e., experience obtained in law schools must necessarily differ from practice, yet law schools seek to educate for practice; 3) how best

can today's law schools devise their curricula for the education of today's students for tomorrow's world using yesterday's materials? The volume primarily opines on the last problem, and the remarks are organized around the following captions: The Law School's Role In Developing A Lawyer (15 pp.); Education In Law School (38 pp.); Law School Relations To General Education (74 pp.); Law School Relations To The World Scene (27 pp.); Continuing Legal Education (18 pp.); The Problem Of Increasing Numbers Of Students (15 pp.), and The Law School As A Vehicle Of Public Service (31 pp.)

Being a book of opinion, its main weakness lies in a dearth of factual information against which one might evaluate the conflicting views. Lacking this dimension devalues the book's overall merit. Nonetheless, the volume certainly should find its way onto every dean's desk and into every law school library. Its diverse and provocative ideas provide a fecund source of stimulation for all who seriously consider the proper future role of legal education.

ARVAL MORRIS

Associate Professor of Law
University of Washington

Dahl, Richard C. and Whelan, John F.
The Military Law Dictionary. New York: Oceana Publications, 1960. Pp. 200. \$6.00.

The object of this work, as stated in the "Foreword," is to be a compact handbook of short, clear definitions of terms most useful to the military lawyer. Unfortunately, the book falls far short of its goal.

A great many terms are included in this dictionary which bear no recognizable relation to military-legal usage, and which are defined much more completely and accurately in any of the many recognized legal dictionaries readily available to both practitioner and student. Additionally, most of the terms are defined without reference to whether they are subject to

any specifically military-legal interpretations.

The dictionary deals altogether too extensively with general legal and medical terminology, and does not begin to cover the area of specifically military-legal definitions. While it is true that no other dictionary is available which even attempts to cover the military-legal field, this volume holds no value for any military law library, and its value to a civilian law library is minimal.

In its physical aspects, the dictionary is reasonably readable and is constructed of medium quality materials. Its bibliography is composed mainly of citations to generally accepted dictionaries.

It would seem that, in the interests of accuracy and completeness, considerably more desirable results may be obtained through the combined use of a standard legal dictionary and such reference to medical dictionaries and/or the dictionaries of military terminology and abbreviations published by each of the armed services as may be necessary.

ALAN G. SUMBERG

1st Lieutenant
Judge Advocate General's Corps
United States Army
Fort Lewis, Washington

Das, S. K. *Japanese Occupation and ex post facto Legislation*. Singapore: Malayan Law Journal, 1960. Pp. xiv, 148. 45s. Ms20.

There has been little published by English writers on the problem of re-establishing the rule of law in territory formerly occupied by the enemy. This has been largely due to the fact that, until the Second World War, British territory had not been so affected. During that war, however, most British colonial possessions in Asia, as well as Guernsey and Jersey, were subjected to enemy occupation. To a certain extent, the occupant carried out the requirements of the Hague Conventions, but in all cases he went far beyond these.

Mr. Das, originally in the *Malayan Law Review*, has provided a useful and com-

prehensive survey of the position as presented by Malaya. His short monograph briefly indicates the position that confronts a liberating authority and expounds the need that exists for legislative action. Before analysing the legal changes effected by the liberating authority, he briefly sketches the law as it existed before 1941, as well as the changes effected by the Japanese. His account deals with such varied matters as the status of agents and trustees; convictions by Japanese tribunals and the trial of occupation crimes on liberation; occupation period judgments and Japanese civil proceedings; occupation currency and debtor and creditor legislation; property problems and the reinstatement of leases; war damage claims and questions connected with the Japanese custodian of enemy property.

Although his work indicates the problems that confront any liberating authority, he emphasizes that, by and large, each territory presents its own problems and each of these problems really requires special treatment as it arises. The book, in fact, is in many ways a *vade mecum* for those who may be called upon to re-establish the rule of law in what was enemy-occupied territory. For this reason, regret must be felt at the absence of any index, bibliography, or table of occupation or liberation legislative decrees or other measures. It is, nevertheless, an interesting and useful work, which should be found in any library dealing with problems of the law of war or its aftermath.

L. C. GREEN

University College London

David, René. *Le Droit Français*. vol. I. *Les Données Fondamentales du Droit Français*. vol. II. David, René, ed. *Principes et Tendances du Droit Français*. (*Les Systèmes de Droit Contemporains*, vols. 11 and 12). Paris: Librairie Générale de Droit et de Jurisprudence, 1960. Pp. 214 + 597. \$14.00 (N F 80.00).

This introduction to the French legal system is a most useful and timely publi-

cation. The purpose of the work is to provide an up-to-date and concise outline of French law especially for the use of foreign lawyers and law students. The first volume is in character similar to the well-known *David-de Vries: The French legal system* (New York, 1958) and discusses the habits of legal thinking, the tradition, the structure and the techniques of French law. It differs from the earlier work in two important aspects: it is longer and more comprehensive and it deals with the law in the light of the important and fundamental changes brought about by the Fifth Republic. The clarity of exposition and the richness of original insight based on the author's wide knowledge of foreign law and familiarity with Anglo-American law will not only instruct but also delight the reader.

The second volume is the work of some fifteen law professors under the editorship of René David. This volume presents a broad outline of the content and the prevailing policies in the various branches of French law. It is divided into fifteen titles each written by an expert in the field. The titles are: Persons and Family, Succession and Matrimonial Régime, Property, Obligations (Contracts and Torts), Commercial Law, Labor Law and Social Security, Court Organization and Civil Procedure, Penal Law and Criminal Procedure, Constitutional Law and Civil Liberties, Administrative Law, Fiscal Law, Conflict of Laws, Law of the French Community, Public International Law, and Contemporary Legal Philosophy. Each title is followed by a short, but excellent selective bibliography for further orientation. A detailed index makes it possible to find quickly the explanation in the text of the most important and habitually used French legal terms.

The many changes and far-reaching reforms in French law since 1958 made it most difficult to find easily reliable information about the state of the effective law. The two excellent volumes of *Le Droit Français* fill this gap and have provided an indispensable source of information and a most useful guide for all

interested in French law. It is a book of great value not only to scholars and students who embark upon the study of French law, but to practitioners as well. Today, with the increasing importance of international and foreign law, this work as a basic source of information should be in all law libraries.

CHARLES SZLADITS

Columbia University
Parker School of Foreign and
Comparative Law

Fenno, Richard F., Jr. *The President's Cabinet: An Analysis in the Period from Wilson to Eisenhower*. Cambridge, Massachusetts: Harvard University Press, 1959. Pp. xii, 327. \$5.50.

This is a work in political science on the functions, relationships and peculiar problems of the presidential cabinet over the past forty-seven years. The claim that it is unique in this field appears to be justified.

The book would be primarily of interest to people in the fields of public administration, political theory and contemporary American history. The author borrows heavily from the jargon and analytical methods of the sociologists who have lately established something of a corner on explaining America to Americans. Despite this, it is generously larded with satisfying biographical quotations and political conversations.

Surprisingly, except for occasional suggestions for reform of our cabinet in the tradition of Woodrow Wilson, an admirer of the British parliamentary system, there has not been much written recently with the aim of understanding the American cabinet. Professor Fenno's work represents an impressive canvassing of the available sources. With these, he turns an astonishing number of furrows across this untilled field.

The book is organized with the extensive and interesting footnotes in the back. This is doubtless economical for the publisher but not for the reader.

DR. ROBERT C. NESBIT

State of Washington
Supervisor of Purchasing

Ford, H. A. G. *Cases on Trusts*. Sydney, Australia. Law Book Company of Australasia. Pty. Ltd. 1959. Pages xvi, 794. £4. 15. -d.

This book contains a selection of leading cases on trusts, primarily intended to meet the needs of the student. The great majority of the cases, which number over two hundred, are taken from English and Australasian reports and are designed "not only to provide information about the law of trusts" but to develop the student's "capacity for ordered thought and analysis." The Table of Cases does not give the country of origin, the date, or the reference of any decision. There is no separate table of statutes, although the statutes are referred to in the general index which is adequate.

The selection of cases presents a balanced picture of a complex and difficult topic, save that there are no references to the law governing the appointment of new trustees and the law determining capacity to be a trustee, since the author, quite properly, regards these subjects as questions of local legislation. Occasional commentaries link the cases and the author provides for the aid of the student a number of searching problems on chosen authorities. It is to be regretted, however, that there are no references, not even in footnotes, to periodical literature and academic writings.

Individual readers will inevitably lament the omission of favourite cases. Your reviewer, in particular, regrets that the amount of space which has been devoted to the discretionary trust and to the power in the nature of the trust is disproportionately small; both these institutions are today of supreme importance to the tax planner.

This volume should be acquired by law libraries. It compares most favourably with comparable works on this topic and it is particularly valuable for its compilation of comparative statutory sources.

GARETH H. JONES

King's College
London, W.C.2.

Frankfurter, Felix. *Felix Frankfurter Reminiscences*. Recorded in Talks with Harlan B. Phillips. New York: Reynal & Co., 1960. Pp. 310. \$5.75.

Weaving a scene "mightier than she who once wrought at Bayeux," Justice Frankfurter in this book vividly depicts the significant role he has played through the major part of this century. If the Justice's needle-work runs a bit too much to Cambridgian crimson, we must realize that to some Harvard Law School is not an institution but an Establishment. This is Justice Frankfurter's dictated and voluntary confession of his pre-Justice years told with a candidness that will send some of the living to bi-carbs and the dead to stirring. No shrinking violet, no man to underestimate his talent, fair to those he conquers as I assume he would be to a victor, the Justice races through fifty years of a full life stopping on the way for digressions on ethics, personalities, comparisons and reaching the end at full gallop. Unlike Don Quixote, the Justice never mistook his opponents for windmills, although he could, if I read correctly, keep a few of them pretty busy. Whether justifying grading systems, evaluating Presidents, discussing his role in the Sacco-Vanzetti case or merely relating events, he brings his strong personality to paper and has written a book that adds materially to the growing list of volumes that will make it difficult to assess whether the Justice's contributions were more significant working out of Cambridge or Washington. This is a book that will accumulate little dust on any library shelf for years to come.

EDWARD J. BANDER

New York University
School of Law Library

Gsovski, Vladimir, and Grzybowski, Kazimierz, General Editors. *Government, Law and Courts in the Soviet Union and Eastern Europe*. London: Stevens and Sons Limited; The Hague, Mouton & Co., n.v.; New York: Frederick A. Praeger, 1959. 2v. (Pp. xxxii, 2067). \$30.00.

Nineteen lawyers, most of whom received their legal training in Eastern or Central Europe and many of whom are familiar with the law of several European countries, have contributed to this encyclopedic work of more than 2,000 well-documented pages in which the law of Communist-ruled countries and of Yugoslavia which also professes adherence to "socialist" principles, is analysed on the basis of original source material. The authors show a degree of objectivity worthy of the highest standards of legal scholarship. This scholarly method reflects the attempted return to "legality" in the various countries involved which occurred more or less simultaneously with Stalin's death; prior thereto, Communist law books were to a much greater extent than now the reflection or legal justification of political measures. Yet, the authors do not hesitate to point to politically inspired legislative, administrative and judicial measures which affect the relationship of the individual to the law, a relationship which is the principal topic of their studies. The uncertainty of the law prevalent in countries in which law is not an ideal in itself but merely a means to an end, is emphasized time and again.

The General Editors are the well-known Chief of the European Law Division of the Law Library of Congress and the editor of *Highlights of Current Legislation and Activities in Mid-Europe* respectively. They have succeeded in presenting a uniform work out of numerous individual contributions. Despite the difficulties in dealing with legal and political terminology which is alien to Western law, the language of the book is smooth and easily understandable to Western readers.

Most of the subjects (*The Regime and the Origin, Administration of Justice, New Substantial Criminal Law, Sovietization of Civil Law, Worker and Factory, Land and Peasant*) are treated country by country; but a few subjects (*People's Democracies and Continuity of Law, Judicial Procedure, From Contract to Status*) are presented topically, with references to

measures taken in the various countries.

The authors have given the reader access to much material which because of restrictions or limitations of publication, printing or export as well as language difficulties has not been generally available.

This work will be a standard treatise on East European law for years to come, is a "must" for all libraries with foreign law holdings and will be of considerable value also in law libraries which acquire foreign law books only occasionally in order to convey a general idea of foreign legal systems.

WILLIAM B. STERN

Los Angeles County Law Library

Hahlo, H. R. and Kahn, Ellison. *The Union of South Africa. Volume 3 of the British Commonwealth—The Development of its Laws and Constitutions.* London; Stevens & Sons, Ltd., Toronto; Carswell Co. Ltd. Pp. xxx and 900. \$14.40 £4. 10s.

This book takes the place of a previous publication which is no longer available. The present work is much larger and more comprehensive than, and has little similarity to, the previous one. It covers nearly every sphere of South African law, private and public (constitutional and criminal), and there is a special chapter on mining, industrial and racial legislation. It also contains good historical sections giving the background of the South African constitution and the legal system with incidental information of its political, racial and social structure. In addition to the work of the two main compilers, specialist chapters are contributed by Professor Scholtens, Mr. M. Millner, Mr. I. B. Murray, Mr. P. Boberg and Mr. B. A. Hepple, all associated, now or in the past, with the University of the Witwatersrand, Johannesburg.

A good index and table of cases is usefully supplemented by a classified bibliography of the old Roman and Roman-Dutch sources and of modern South African legal publications including pe-

riodicals and law reports and their years of currency.

The work fulfills its purpose exceedingly well and will give readers outside South Africa a reasonably authoritative and full conspectus of the South African legal system with explanations of the origins of the various rules—comparisons with, and influence of, Roman and English law being kept in the forefront. It is the kind of work that would be valuable to all comparative lawyers and essential to every library in that field in particular, because it gives an instructive survey of the interaction of Common Law and Civil Law in a mixed jurisdiction such as that of the modern Roman-Dutch law in South Africa.

The size of the work need not discourage readers. That is due to its vast coverage. Indeed, for all its size, it tends to be a little compressed and written on the assumption that readers know their English law and even their Roman law.

B. BEINART

University of Cape Town.

Hall, Jerome. *General Principles of Criminal Law*, 2d ed. Indianapolis and New York: The Bobbs-Merrill Co., 1960. Pp. xii, 642. \$9.50.

If a rocket is about to be launched from Cape Canaveral, does the supervising scientist ask the congregated multitude whether they believe that the rocket is ready for a successful shot? Of course not. He proceeds scientifically by calling for the ready check on each separate element of which the entity rocket is composed and, moreover, his call list is not alphabetically, but, rather, analytically arranged, in accordance with the construction plan. This is the scientific method!

Professor Jerome Hall has employed this scientific method to the criminal law. He was the first American to do so. In fact, he built the fundaments of a science of criminal law when most European colleagues were still steeped in criminological metaphysics, and most Americans

arranged their crimes in alphabetical order and believed that criminal science could consist only in the examination of the relevancy of lie detectors and other mechanical instruments within criminal law administration.

Now in its second edition—much enlarged and perfected—the General Principles of Criminal Law are abstracted from a scientific, realistic crime concept. These principles recur in every crime, and each criminal charge can be tested as to perfection (readiness for conviction!) by running through the list of the seven principles, legality, harm, conduct (*actus reus*), causation, *mens rea*, the concurrence of *actus reus* and *mens rea*, and punishment. The book describes all these with alacrity and comparative and jurisprudential insight.

Separate chapters deal with the significant doctrines, *viz.*, concepts of scientific abstraction, derived from the interplay of several principles, *e.g.*, mental incapacity. As the title indicates, this volume does not deal with rules *i.e.*, the individual crimes, and the work is about as far from a hornbook as Sirius is from Attair—to stick to the astrophysical metaphor. The book is heavy fare, even for the advanced criminalist.

Yet, no other American criminal law book exceeds Hall's General Principles in significance. A warning to librarians: If our experience at N.Y.U. means anything, all copies of this book will disappear within days after acquisition, despite heavy security measures. Place a monthly replacement order!

GERHARD O. W. MUELLER

New York University
School of Law

Harris, Robert J. *The Quest for Equality*.

The Constitution, Congress and the Supreme Court. Baton Rouge: Louisiana State University Press. Pp. xiv, 172. \$4.00.

The 14th Amendment to the United States Constitution as it bespeaks a political tradition of equality before the law is as old as the Stoics and as new as the

Brown segregation cases. The author speaks of these matters, and of the conception of the amendment in the Reconstruction Congress in the varying meanings ascribed to it even by its proponents, as disclosed in legislative debates.

Lawyers will be pleased with the author's description and analysis of cases through which both the idea and Supreme Court have labored.

The author, a political scientist, well and widely schooled in both North and South, with an extraordinary understanding of legal concepts is well fitted for an original synthesis of politics and law. A talent for merciful brevity and clarity are lagniappes. The book is adequately indexed, has a paginated table of cases and sufficient but unencumbering footnotes.

Law students will be especially pleased with the recurring phrase "This was the first case . . .": Teachers of law will rejoice in knowledgeable discussion at their level: Lawyers generally can be enlightened.

The timeliness of the subject, the worth of the work and its low cost combine to make it a felicitous purchase for almost any library.

JEANETTE O. SMITH

University of Miami
School of Law

Henry, Laurin L. *Presidential Transitions*. Washington, D. C.: The Brookings Institution, 1960. Pp. xviii, 755. \$7.50.

When a new president is elected, particularly if he represents the opposite political faith of the incumbent, a crisis is created which can be of world shaking importance. How the transfer of power and responsibility is accomplished is the subject of this absorbing and obviously well-timed study. The author describes four of such transitions in the twentieth century: the Taft-Wilson, Wilson-Harding, Hoover-Roosevelt and Truman-Eisenhower eras. Although the very nature of our system of political parties and constitutional government creates difficulties in the way of smooth transitions, never-

theless progress is evident from the Taft-Wilson period when the whole affair was described as "not greatly different from the punctilio surrounding the surrender of a city to a victorious army general" to Truman's determined although not wholly appreciated efforts to facilitate the process in handing over the office to Eisenhower. The latter must have been rudely brought to earth when he received Truman's post-election telegram: "Congratulations on your overwhelming victory. The 1954 budget must be presented to the Congress before January 15th . . . you should have a representative meet with the Director of the Bureau of the Budget immediately. . . ." The final chapter deals with future transitions and it is safe to assume that this report has been useful to those involved in the current change-over of the executive office.

The historical settings, personalities of the major characters and political maneuverings of the times are vividly described. Recommended for all libraries with patrons interested in governmental processes.

HARRIET L. FRENCH

University of Miami
Law Library

Holzman, Robert S. *Federal Income Taxation*. New York: Ronald Press Co., 1960. Pp. 122. \$8.00.

This latest contribution by one of the prolific writers on taxation serves as a textbook for students of federal income taxation. It adequately fulfills the obvious objective of such a textbook: it gives down-to-earth instructions in how the federal income tax works. Unlike his previous books (see *New Books Appraised*, 51 Law L.J. 258 (1958)), this is not a working manual for use by the active practitioner or corporate tax executive with a definite problem to be researched. Nor is an attempt made to provide an encyclopedic listing of every possible facet of a particular proposition. Loose-leaf tax services are published for that purpose.

As a textbook for students, it compares well with the popular Stanley and Kilcul-

len, *The Federal Income Tax*, the organization of which closely conforms to that of the Code. The organization of the 29 chapters in the Holzman book, however, follows the logical sequence of building up income, subtracting deductions and exemptions, applying credits and computing the tax. One chapter is devoted to procedure. Several features not found in the Stanley and Kilcullen text are present in the Holzman book: a suggested reading list of books, articles and leading cases in each chapter; a series of questions at the end of each chapter; mathematical illustrations of computations; materials drawing attention to the need for and the form of workpapers; a separate chapter on tax planning; an introductory chapter on general principles of taxation; and an appendix of eleven tax forms. This book could reasonably be acquired by law school libraries.

RICHARD A. HAUSLER

University of Miami
School of Law

Institute of Judicial Administration. *A Guide to Court Systems*. (40 Washington Square South) N.Y. 12. 2d Edition, 1960. Pp. 50. 50¢.

The mounting interest throughout the United States in improvement of court structure and of court organization makes most timely this 2nd edition, bringing up to date the 1957 first edition. Any publication on this subject put out by the Institute of Judicial Administration carries, of course, an authentic hallmark and this little 50-page paper-covered booklet is a superb job of arrangement, condensation and presentation of the most essential information about our Federal and State courts. As to each of the two branches of our dual system, it describes in adequate detail the historical background, present organization and set-up, with a description of modern administration problems and progress. There are references to the pending movements toward simplification of state courts with special descriptions of the successes attained in Puerto Rico, New Jersey, Alaska and Hawaii and

of the continuing efforts in Connecticut, Wisconsin and New York.

Just about all the really important information is given as to the various kinds of State and Federal courts with a separate Part III as to the New York State courts only, including diagrams of the New York system as it is and as it will be if the pending Constitutional revision goes into effect. There are brief but adequate bibliographies and a helpful glossary.

This booklet is packed with information. I do not know of anything else available which is up-to-date and so brief and yet complete. It is readable and simply written. It would be useful in any sort of law library. To the countless people interested in "court reform" it is a real prize.

CHARLES S. DESMOND

Chief Judge
New York Court of Appeals

Institute of Law of the Czechoslovak Academy of Science. *Bibliography of Czechoslovak Legal Literature*, 1945-1958. Prague: Artia, 1959. Pp. 261 KCS 11.60 (\$1.67) (Distributed by F. Pancer, Importer, 6514 W. Cermak Road, Berwyn, Illinois)

Well organized and carefully edited this bibliography not only will be a useful guide to the recent legal literature of the Republic, but will also serve as an introduction to the present law in the light of the underlying political doctrines of Marxism, dialectical materialism and "popular democracy." These strong dogmatic overtones will impair the informative value of introductions to the several sections of the bibliography, like this one on p. 28: "By the concept of law Marxist theory of State and law understands the sum of the rules of behaviour which express the will of the ruling class, a will determined by the conditions of the material life of society; these rules are established or sanctioned by the State power and serve basically the same aims as the State. . . . The method of study used by the Marxist theory of State and law is

dialectical materialism, this fact is also a basic characteristic distinguishing this scientific discipline from bourgeois legal philosophy."

It is a pity though understandable that works published in the West are excluded. In the main, only items published in the Republic from 1945 to 1958 are listed.

S. A. BAYITCH

School of Law
University of Miami

International Conference on Control of Restrictive Business Practices. Proceedings. A Publication of The Graduate School of Business, The University of Chicago (Third Series). The Free Press of Glencoe, Illinois. 1960. Pp. xix, 380. \$10.00.

The conference, held in Chicago in January, 1958, was attended by 64 persons—businessmen, economists, lawyers, and government officials—from 16 countries, present by invitation in their individual, not official, capacities. The participants met in two groups, a government group and a private group, to discuss national policies and procedures regarding restrictive business practices, policies toward concentration of economic power, problems arising from the development of the common market, conflicts of law, and the possibilities of international co-operation.

The present volume includes the four public lectures (three on the national policies of the United Kingdom, the Netherlands, and Norway, and one on the new German cartel law), and the Statements as to National Policy by Austria, Belgium, Canada, Denmark, France, Ireland, Japan, and Sweden. These presentations generally include a brief history of the development of the national policy or philosophy and an explanation of present legislation and governmental practices.

Roughly one-third of the volume is devoted to summaries of the discussions by the two groups in closed sessions. Anonymity was maintained to encourage candid response by these experts free from

diplomatic, political, or other partisan considerations. The result was development of some novel views, but these little gems are difficult to extract from the present volume because the printed summaries follow the unguided flow of the discussions under very broad topic headings.

An appendix contains English translations of all the important restrictive-practice legislation enacted since the United Nations last published such documents in 1954.

BENNETT FEIGENBAUM
McMicken, Rupp & Schewpke
Seattle, Washington

Jackson, R. M. *The Machinery of Justice in England.* Cambridge: at the University Press, 1960. Pp. xiii, 417. 45s. net. \$8.50.

This is the third edition of what, even on its first appearance, was recognised to be an important book. So many changes are constantly taking place in the administration of justice in England that each new edition deserves consideration. Not only does the book give a remarkably full—and, what is more, a remarkably readable—account of the structure of the English judicial system, including the very numerous special tribunals which are such an essential feature of the English scene, but it also discusses, in a thoroughly critical way, such matters as legal education, and the personnel and costs of the law. Much that it contains cannot be found elsewhere, at any rate in a compendious form; and it is worth mentioning that the excellent study of Pendleton Howard, *Criminal Justice in England* (1931) is now largely out of date. The author, who served as secretary of the Royal Commission on Justices of the Peace (1946-8), is greatly concerned with the reform of the system, but has too extensive a practical experience of it to expect easy remedies. Although the book deals only with England, many of the problems it raises occur elsewhere, and the treatment is on so high a level that it can be recommended to all libraries. It

is well indexed and has tables of cases and statutes and, more important, of reports of Royal Commissions, Departmental Committees, etc.

F. H. LAWSON

Brasenose College,
Oxford.

Keeton, G. W. and Schwarzenberger, G., eds. *Current Legal Problems*, 1960. Toronto: Carswell Co., Ltd. Pp. vii, 302. \$8.50.

This latest addition to a now familiar series is perhaps slightly more parochial in content than some of its predecessors. Nevertheless, in these fourteen lectures there is much that ranges beyond the present condition of particular branches of English law.

To illustrate by titles: "From Air Law to Space Law"; "Gentlemen's Agreements and the Security Council"; "Reflections on the Law of International Institutions." And Professor J. L. Montrose throws light upon the continental influences which affected Austin, as jurist and pedagogue.

Cases and statutes are tabulated; the index is barely sufficient.

MAURICE H. SMITH

Reform Club
London

Latin for Lawyers. London: Sweet & Maxwell, Ltd. Third edition, 1960. Pp. viii, 287. \$3.55.

This book contains a relatively easy method of learning lawyers' Latin, based on over 1100 Latin maxims and phrases.

Thirty-two progressive lessons are followed by tables of declensions and conjugations and rules of syntax. The maxims and phrases are in Part II, which has been extensively revised.

There are some useful notes on the application of maxims to particular cases. In a few instances there are specific warnings concerning the validity of, and limitations upon, particular maxims (numbers 13, 88, 92, 170). It may be advisable, however, to set out a more general warning at the outset that maxims are often

misleading by reason of their generality and often subject to exceptions. It is further suggested that the book might usefully contain a few short continuous passages from the Institutes of Justinian.

The cross-references from the exercises to the grammar are methodical and detailed and therefore easily traceable. There are useful cross-references among the maxims showing their interconnection. The subject index is adequate.

On translation, *injuria* would be better translated uniformly as "wrong"; its translation as "injury" is ambiguous. Further, *conventio* should be translated as "agreement" and not as "convention."

Since this book may often be used by students who have a scanty training in the terminology of grammar and syntax, it is suggested that the plunge into such terms as "complementary infinitive," "ablative absolute" and "accusative and infinitive" is too cold. It is true that the reader is at the same time referred to rules of syntax; but these rules are also laden with obscure terms and need to be stated, explained and illustrated more simply.

In general, the book is well arranged and clearly printed with a satisfactory disposition of type forms. The paper should stand up to frequent cross-reference.

The book would be of particular interest to law students and useful to practitioners. It should be purchased by all law libraries and law school libraries.

RAPHAEL FOWELL

Faculty of Laws
University College London

Lauterpacht, E. (ed.). *The Suez Canal Settlement, A Selection of Documents, October 1956–March 1959*. London: Stevens, New York: Praeger, 1960. Pp. 82. \$4.00.

Lauterpacht, E. (ed.). *The United Nations Emergency Force, Basic Documents*. London: Stevens, New York: Praeger, 1960. Pp. 49. \$3.50.

Handy, well organized and reliable collections of documents regarding two important international problems: one al-

ready history, namely the Suez Canal nationalization, and the other increasingly alive, the United Nations Emergency Force.

Recommended to libraries interested in international law and foreign relations.

S. A. BAYITCH

School of Law
University of Miami

Loffmark, Ralph R. *Estate Taxes*. Toronto, Ont.: The Carswell Company, Ltd., 1960. Pp. lxxv, 836. \$25.00.

This volume is a treatise on the new Canadian Estate Tax Act which became effective January 1, 1959 replacing the Dominion Succession Duty Act of 1941. In fourteen chapters the author describes the mechanics as well as the technical tax concepts under both the old and new acts, drawing heavily on comparable English law. Particularly helpful are the numerous examples illustrating the application of the statute.

The twenty-six page index is useable, and the table of cases is complete. An appendix contains the full text of the Estate Tax Act and Regulations. There is a table of cross-references of the Act to the section numbers and pages of the book; however, there are no cross-references to the predecessor Act. Even more helpful would have been such cross-references together with an outline of the changes made by the new legislation. While much of the new law is simply a recasting of the replaced statute, some major changes have been made, such as: (1) the inclusion of foreign land in the estates of residents (domiciliaries); (2) the handling of jointly owned property; (3) establishment of new tests for the treatment of life insurance and powers of appointment; and, (4) a new approach to taxing nonresidents (non-domiciliaries).

The volume should prove invaluable to Canadian practitioners and United States firms with Canadian clients. United States reference libraries will find it a useful addition to their foreign tax collections.

JOHN C. CHOMMIE

University of Miami
School of Law

Louisiana State Bar Association. *Economic Survey of the Legal Profession in Louisiana*. [New Orleans], 1960. vi, 132 p. incl. charts and tables.

The Survey was conducted by the Committee on Economic Survey under its chairman, Richard B. Montgomery, in consultation with members of the Louisiana State University School of Economics. The report was written by Dean William D. Ross on the basis of answers received to a questionnaire from 19.4 per cent of the members contacted. The seven parts are entitled: income status, sources of income, pricing of legal services, office management practices, personal characteristics, community service activities, and for the good of the profession.

While the report may be of primary interest to the Louisiana law graduates in assisting them in the choice of type of practice and location, it should be carefully studied by all lawyers practicing anywhere in the United States, because the problems considered are common to all lawyers. Dean Ross deplores the lawyer's chief concern with minimum fee schedules, bar admission requirements, unauthorized practice evidencing a "closed shop" attitude. He recommends improvement of the legal price structure, modernization of office practices, short courses for needed professional development sponsored cooperatively by law and business schools with financial support from state and local bar associations. Figures on amounts spent on maintenance of office libraries seem to support Dean Ross' observation that lawyers lack intellectual curiosity (p. 52): only five per cent spent annually \$3,000.00; 26 per cent from \$1,000.00 to \$3,000.00; 33 per cent between \$500.00 and \$999.00; 36 per cent less than \$500.00 on their libraries.

Recommended for all bar and law school libraries.

KATE WALLACH

Louisiana State University
School of Law

Marshall, H. H., Q.C. *Natural Justice*. London: Sweet and Maxwell, 1959. Pp. xxiii, 201. 35/-.

This competent and readable book is the only monograph devoted exclusively to the principles of natural justice—as distinct, of course, from "Natural Law"—which we know. Its major thesis is that the phrase natural justice, as now known to the courts, is virtually confined to the two principles that no man shall be judge in his own case and that both parties to a dispute must be heard. After a brief introductory survey (pp. 3-20) the author examines, by reference to numerous cases, how these principles are applied in the English courts (pp. 25-60) and in arbitration proceedings (pp. 61-76); in regard to foreign judgments (pp. 77-92) and criminal appeals to the Judicial Committee of the Privy Council from Dominions and overseas dependencies of the Crown (pp. 93-95); in domestic tribunals (pp. 96-118) and the exercise of statutory powers by ministers, administrative tribunals and individuals (pp. 119-164) when acting "administratively," "judicially" and "quasi-judicially." Particular attention is given to the considerable inroads which have been made in these principles in regard to bodies or individuals exercising statutory powers under legislation which expressly or implicitly authorises procedures inconsistent therewith.

Of particular interest is the chapter on "Natural justice, equity and good conscience" (or similar phrases) in the legislation of Dominions and overseas dependencies. Here Mr. Marshall, as Attorney-General of the Northern Region of Nigeria, is particularly well qualified to speak, but one could have desired a rather fuller and more imaginative treatment of a fascinating subject. After a further chapter on the requirements of natural justice as adapted and prescribed by various statutes (pp. 174-183), the book ends with the author's "Conclusions" (pp. 184-6), with Appendices (pp. 187-96) and with an Index (pp. 197-201). There is also a Table of Cases and a Table of Statutes.

This book is of value both to the practitioner and the student, and should be acquired by all law libraries. The print,

format and paper are good, and the style lucid.

J. N. D. ANDERSON
Institute of Advanced Legal Studies,
University of London.

McClure, Wallace. *World Legal Order*. Chapel Hill, North Carolina: University of North Carolina Press, 1960. Pp. xii, 366. \$7.50.

This is an interesting addition to the literature and the thinking currently emphasizing the adaptability of legal concepts and procedures and their potentially greater use internationally in facilitating mankind's age-old quest for "Peace on earth, and to all men Good Will."

Against some inferences of nuclear warfare and human, or civilization's, necessity, the author elaborates a central theme: the existence and universality of moral and spiritual values in man's social experience. He contends these insistent values (a) condition and guide individual and group dynamics along constructive lines; and (b) may be relied upon hopefully and utilized perhaps effectively at international levels in evolving a workable system for the orderly settlement of world tensions, disagreements, and conflicts.

The dissertation commences in the field of philosophy, legal and otherwise, amidst overtones of natural law concepts. Thence, the author painstakingly traces a slowly developing awareness of international obligations (international morality) in U. S. Supreme Court decisions, involving the treaty-making power under our constitution. Linking this emerging recognition and understanding of supra-national law concepts with comment on decisions of international tribunals, and with an impressive discussion of the United Nations and its varied international implications, the author constructs a hopeful argument that a point of sufficient intellectual maturity may have been reached to allow present-day world leadership to progress significantly toward the long cherished ideal of peace through world legal order.

He draws upon a wide academic acquaintance in things legal, as well as social, political and philosophical, and tests this against personal State Department experience to inventory and evaluate present potentials for World Peace through Rule of Law.

The book is scholarly, documented adequately, has a table of cases, adequate index and bibliography.

It could reasonably be acquired by most libraries.

R. C. FINLEY

Chief Justice
Washington State Supreme Court

Matthews, Donald R. *U. S. Senators & Their World*. Chapel Hill, N. C.: University of North Carolina Press, 1960. Pp. 303. \$6.00.

This book is crammed full of facts about senators—their backgrounds, their jobs (prior to election), their daily work, and a myriad of other details about how these men fret, fight, and fumble over problems ranging from their colleagues to their constituents.

The author has done a formidable job of research and the book is more than amply supplemented by a host of graphs, formulas, and statistics. In places the book reads like an intermediate algebra text. The book also contains a few laughs; probably too few, for many funny people inhabit the Senate. However, the narrative somehow manages to remain revealing without being absorbing, and unexciting without being dull.

Despite his graphs, formulas, and statistics, Mr. Matthews spares us from an attempt to come up with an *average* senator. Don't try to pour this book into a pot of boiling water and expect to come up with an *instant* senator; you won't, and the author is the first to admit it. How many times have other political scientists tried to play the General Foods game and come up with no more than a soggy book and a blistered thumb for their efforts.

Mr. Matthews has written a good *non-legal* book.

RONALD J. BLAND

Law Clerk
Washington Supreme Court

Montgomery, Robert H. *Sacco-Vanzetti the Murder and the Myth*. New York: Devin-Adair, 1960. Pp. 370. \$5.00.

The Sacco-Vanzetti case has been a source of pain and pleasure to many. Contrary to the author's conclusion the case is not a myth but a symbol. The Holt transcript, opinions of participants past and present with which the author is much concerned (reminding one of Judge Gaunt in *Winterset*), the speculation as to whether the case was won by not splitting hairs (p. 117) or lost by telling a fish story (p. 141), and ballistic testimony will no more affect a symbol than the argument that a corporation is not a person under the Fourteenth Amendment.

The author, in his zeal to silence the dead, has attempted to impute to the defense evil motives and un-American conduct; and I suppose turnabout is fair play. Nevertheless it is probably difficult for one who has accepted the role of General Counsel to appreciate the distinction between lawyers who only take cases they believe in and those who believe in every case they take. As to the attack on Justice Frankfurter I would prefer Judge Anderson's appraisal of his motives in cases of this nature (See 265 F 22) to the inexcusable innuendoes of a zealot in this, the latest salvo in a now thirty year war. Nevertheless, although a partisan summation, the volume belongs with the growing list of Sacco-Vanzetti literature; though I would make sure that my library included Thurber and Nugent's "The Male Animal" to provide a little levity to a rather somber collection.

EDWARD J. BANDER

New York University
School of Law Library

New York University Law School. *Annual*

Survey of American Law 1959. N. Y.: Oceana, 1960. Pp. 807. \$10.00.

The annual contribution to legal scholarship afforded by New York University School of Law's *Survey of American Law* is familiar scenery to law librarians, lawyers and legal educators, to everyone in fact who receives the School's law review. It seems proper, however, to notice this annual event which to accomplish must require an exceptional effort on the part of the editing staff, writers and publisher. The reviewer's rationale for reviewing is complete by reference to the fact that the *Survey* is the only vehicle of its kind in American legal writing.

The first (1942) *Survey*, published in 1945 as an independent volume, contained nearly fifty articles; the 1959 *Survey* presents 32 articles. The change in content is substantive in the sense that the 1942 subjects, such as *Local Government* and *Social Security and Welfare*, are not reflected in the 1959 volume.

Each volume "aims merely to present in orderly fashion the significant trends in the important branches of the law through the year." The accuracy of Dean Arthur T. Vanderbilt's statement about the 1942 *Survey* cannot be challenged concerning the 1959 *Survey*. The latest articles, in literate fashion, discuss the significant legislative and decisional developments in the major areas of American law. At least in the fields of law with which the reviewer is particularly familiar—evidence, civil procedure and United States Constitutional law—the editorial staff and authors have wisely selected the material to be discussed.

The volume's usefulness is enhanced by occasional critical commentary by the authors; in several articles considerable depth in treatment is achieved in this way. Likewise, the mundane business of reading typical legal article discussion is lightened by inclusion of Professor Cahn's *Jurisprudence* essay, and Librarian Julius Marke's short *Legal Bibliography and History*. A table of cases, table of statutes

and rules and an excellent topical index increase the volume's utility.

Recommended for all law libraries.

CLIFFORD G. ALLOWAY

School of Law

University of Miami

Parry, Clive. *Nationality and Citizenship Laws of the Commonwealth and of the Republic of Ireland.* Vol. 2. London: Stevens & Sons, 1960. Pp. xxiv, 1025-1285. \$13.45 (to registered purchasers of Vol. 1. \$11.20). £4. 4s. (to registered purchasers of Vol. I. £3. 10s.).

The first volume of Dr. Parry's treatise was hailed as a massively comprehensive, scholarly and unique work. Substantial changes in the citizenship laws of the United Kingdom and Commonwealth countries since 1957 have made it necessary to issue a second volume instead of a supplement. The volume comprises the annotated texts of new legislation, together with introductory expositions and numerous practical illustrations of the operation of these laws. It is designed and arranged for use in conjunction with the first volume. The work as a whole should be acquired by large libraries with good international law collections and by all libraries which take the major works of reference on the laws of England, Ireland, or the Commonwealth.

S. A. DE SMITH

London School of Economics.

Paul, Julius. *The Legal Realism of Jerome N. Frank.* The Hague: Martinus Nijhoff, 1959. Pp. xxii, 177. Guilders 17.90.

This small volume is a systematic and critical evaluation of the legal philosophy of Jerome Frank, a leading exponent of American legal realism. Frank's most significant contribution to contemporary legal thought was his formulation of fact-skepticism and his application of it to the vagaries of the judicial process. Frank placed special emphasis on the uncertainty and vagueness of the legal rules, and in his writings made positive suggestions for court and jury system reform.

He attributed the legal myth of rule-certainty partially to man's adoption of Law as a Father-substitute. Frank contended that legal finality was an impossibility, since, paradoxically, order must allow for both change and fixity. In addition, he argued that legal certitude was undesirable since it removed the element of contingency, a factor in man's struggle to improve his lot. Religion, also, was recognized by Frank as a medium which encourages the legal myth of rule-certainty, for through the projection of its universal principles, it gives man a sense of security.

Although this book is a competent work, it does not satisfy the existing need for a definitive study of American legal realism. It is colored by the author's own jurisprudential predilections, overemphasizes Frank's psychological theory, and fails to reflect historical, social and judicial settings in presenting Frank's philosophy.

The volume contains a selected list of opinions of Judge Frank which embody jural concepts, a comprehensive bibliography of his writings, and a list of general works used by the author in preparing the study. It is recommended for law libraries with substantial jurisprudential collections.

ERVIN H. POLLACK

The Ohio State University
College of Law

Pellard and Robinson. *Legal Instruments and Federal Taxation*, The Lawyer's Tax Manual, 2d ed., New York: Clark Boardman Company, Lt., 1960. Pp. xxxi, 2135. \$20.00.

This is a revision of an earlier edition which appeared in 1949. Aside from being up-to-date, the main advantage of the revision is in the form in which it appears: a modern one large loose-leaf volume which makes supplemental changes easy as new legislation, regulations, rulings and decisions develop. It is immediately preferable to Roberts, Schultz and Mayer, *Annotated Forms for Tax Practice*, published in 1951 and already terribly dated.

The first three chapters are concerned

with practice before the Internal Revenue Service (including an explanation of the more important Treasury forms) and with various types of petitions and briefs in deficiency and refund suits. Succeeding chapters furnish clauses and forms to illustrate a given tax result in any number of transactions such as wills, trusts, sales, real estate transfers, alimony agreements, etc. For the most part, the clauses have been taken from tax cases, and the citations are given in the footnotes. The text includes two chapters on estate and gift tax procedure (again, with forms). There is an appendix containing the rules of practice before the Internal Revenue Service and before the various courts. There is a table of cases and an index to forms as well as a general index.

So far as "completeness" is concerned, this work falls short of the six-volume *Current Legal Forms with Tax Analysis*, by Rabkin and Johnson, who, incidentally, refrain from cloaking forms in the mantle of "authority" from cases. In the four-volume *Tax Tested Forms of Agreements*, published by The Institute for Business Planning, the emphasis is on the functions of the business, the promoter, the investor, etc.; that emphasis is not present in the Pellard and Robinson manual. However, this one volume of forms costs much less than the other works mentioned. A large or special library could reasonably acquire it for practitioners.

RICHARD A. HAUSLER

University of Miami
School of Law

Pilpel, Harriet and Zavin, Theodora. *Rights and Writers*. New York: Dutton, 1960. Pp. 384. \$7.50.

This book, written by two distinguished members of the New York Bar, is a survey of the legal problems concerning authors and publishers. The subjects covered include libel, privacy, contracts, copyright and obscenity. Such is the usual legal gauntlet run by a publisher in the normal course of the year.

Each subject is introduced by a short

narration of the problem and the general rubrics in the field. Some of the current cases are then discussed in a most interesting and detailed discourse. Citations of the authorities relied upon and described appear at the end of each chapter. Because the authors are members of the New York Bar, there is perhaps more emphasis on that State's decisions than might otherwise be desired.

It is the undersigned's personal view that although this book makes for interesting reading, the amount of its utility is not great. Thus, the book has but limited use to a lawyer; it would only be used for initial reference purposes as a point of departure into the usual legal materials. And, although a publisher or author might enjoy such a book, its contents are necessarily so general that the material can only in the broadest possible fashion educate as to when to go to counsel.

However, since this book does collect and discuss some of the most recent and intriguing cases in the publishing field, for that purpose alone it is a worthwhile addition to the library.

DON H. REUBEN

Kirkland, Ellis, Hodson, Chaffetz
& Masters
Chicago, Illinois

Rusoff, Lester R., editor. *Estate Planning and Taxation: A Report of the Proceedings at the Seventh Annual Tax School Presented by the School of Law, Montana State University, Missoula, Montana*: Montana State University Press, 1960. Pp. 125. \$5.00 (\$3.50 paper).

Most of the papers in this report are directed toward the federal tax problems which a practitioner would meet in advising the officers and shareholders of a small business. Of the nine papers, perhaps three would be especially helpful to the practitioner: One on the problem of discrimination in pension and profit-sharing plans for very small businesses, one on recent developments in buy-and-sell agreements, and another on "split dollar" insurance for key executives of

small corporations. Each of these three papers covers an area of great concern to the typical close corporation, and gives a fairly good outline of the problems to be expected. There is no subject index or index of cases or bibliography, and this reviewer does not know whether an index for the series will be published later. The footnotes for these three papers contain few references to the relevant periodical literature, but do include, besides references to the text of the 1954 Code, references to legislative history, the regulations, revenue rulings, and cases.

Because of the general usefulness of these three papers to lawyers and accountants advising small businesses, the purchase of this book can be recommended to all law libraries whose services are extensively used by tax advisers.

TIMOTHY R. MALONE

Assistant Attorney General
State of Washington

Schuyler, Robert Livingston. *Frederick William Maitland, Historian, Selections from his writings*. University of California Press. Berkeley and Los Angeles, California. 1960. Pp. 261. Paper \$1.50.

This book, says the preface, "is intended for students of history and of historical method. . ." Although a rash of collections of Maitland's works were published following his death in 1902, and from time to time thereafter, this is the first book to focus on his specialty, historical method as applied to development of the law. Essays selected from Maitland's voluminous writings, the 45 page introduction by the editor and the brief, but lucid, comments introducing each essay admirably carry out this object. Among the readings are *Historical-Mindedness*, *Historical Imagination*, *Ownership in Old English Communities* and *The Meanings of Words*.

Other collections such as the three volume, *Collected Papers of Maitland*, edited by H. A. L. Fisher (1911); *Equity and Forms of Action*, edited by Chaytor and Whittaker (1926) and *The Maitland Reader*, edited by V. T. H. Delany (1957),

are available for those who wish to peruse the wide area of Maitland's studies of English law. Although essays here included may be found elsewhere, other collections emphasize his substantive contributions to the understanding of English law rather than his methodology.

It is very readable with good physical makeup. There is no index or need of one but a bibliography would be helpful.

Since the book is published for historians and not for lawyers, libraries with any of the foregoing Maitland collections may be duplicating by the purchase of this volume. However, where there is interest in this subject matter, a better selection could not be made.

CYRIL D. ROBINSON

Member of the Bar, State of Illinois

Seghers, Paul D.; Reinhart, William J.; Nimaroff, Selwyn. *Essentially Equivalent to a Dividend*. New York, N. Y.: The Ronald Press Co., 1960. Pp. vii, 332. \$10.00.

This book, which is not a critique, provides the guides to "how-to" work with one of the more difficult concepts of the Internal Revenue Code, "essentially equivalent to a dividend." The volume is one of a series (Tax Practitioners' Library) edited by Professor Robert S. Holzman who has contributed three of the published volumes (fourteen have been published or are in preparation).

The four chapters present the material in the format of the series. Chapter One states the problems, including the legislative history of the concept, and Chapter Two provides a descriptive analysis of the judicial developments. Chapter Three, comprising two-thirds of the material, is a 208 page classified digest of the cases. The final chapter contains suggestions on steps that can be taken by the taxpayer to minimize his tax liability. The appendix contains a bibliography of the extensive periodical literature, a usable index to the statutes, regulations, rulings and cases, and a good general index.

The volume should prove useful to the tax practitioner as a basic search book to

the principles and cases; although periodic supplementation does not seem to be planned, perhaps it was believed the tax services would be relied upon for this purpose.

JOHN C. CHOMMIE

University of Miami
School of Law

Shaffer, Kenneth R. *Twenty-Five Cases in Executive-Trustee Relationships in Public Libraries (Case Studies in Library Administration Series II)* Hamden, Conn.: Shoe String Press, 1960. Pp. 187. \$4.50.

This is the second volume in the series, the first of which was reviewed in this Journal in February 1960 by this reviewer. The original volume was received with praise and with anticipation of future volumes. The current volume has most assuredly lived up to expectations.

While the cases in this volume deal with public library situations involving governing bodies, law librarians will find much that is applicable to their own circumstances. Personnel problems of hiring and firing as well as problems of book selection and censorship which are some of the matters discussed in these cases are basic to any type of library.

Special mention must be made of the very interesting way in which these materials are presented. The first three cases involving a single situation read like a suspense story. All librarians will profit from reading this book.

HARRY BITNER

Law Librarian
Yale Law School

U. S. Library of Congress. General Reference and Bibliography Division. *A Guide to the Study of the United States of America; Representative Books Reflecting the Development of American Life and Thought*. Prepared under the direction of Roy P. Basler, by Donald H. Mugridge and Blanche P. McCrum. Washington: Library of Congress (Superintendent of Documents, distributor), 1960. pp. xv, 1193. \$7.00.

The *Guide* is a truly monumental bibliographical work, listing and annotating 6,487 titles, and referring to even more, in thirty-two chapters, each covering the various aspects of a broad subject, ranging from the *American Indian* to *Sports and Recreation*. The basis for selection has been the value of each book as an expression of life, thought and civilization in the United States, no attempt having been made to make a complete listing of Americana. The terminal dates for inclusion vary from 1955 to 1958; with timeliness and availability a consideration, many recent books have been included.

In addition to the rather full and thoughtful annotations of individual titles, each chapter is prefaced by a historical headnote, and brief biographical and critical notes about many of the authors are included. The entries are given with some fullness, including pagination, illustrations, bibliographies, and LC card and call numbers. The index, covering authors, subjects and many titles, seems comprehensive and useful.

The chapters on *Constitution and Government* and *Law and Justice* would seem to be of primary interest to law librarians, but since the two chapters combined include fewer than 300 titles, their value as a book selection aid would be limited. The chapters on such peripheral subjects as *Land and Agriculture*, *Economic Life*, *Communications*, and *Society* could prove helpful as a source of materials in these fields. Some of the other chapters, notably the ones on *Literature* (the most extensive in the book), *Biography and Autobiography*, and *General History* may well arouse feelings of frustration in the hearts of too-busy law librarians with little or no time for other than professional reading.

The *Guide* is recommended as a worthy addition to the reference collections of most law libraries.

FRANCES KARR HOLBROOK
University of California at Los Angeles
School of Law Library

Verplaetse, Julian G. *International Law*

in Vertical Space; Air, Outer Space, Ether. [Madrid: The Author, 1960] Pp. 505. \$10.00. (Paper). Exclusive distributor: Fred B. Rothman & Co., 57 Leuning Street, South Hackensack, N. J.

This unique and timely work, by an author who obtained his first law degree at the University of Ghent and a doctorate in law from Harvard University, deals with aviation law, space law (which the author insists should be termed "outer space" law) and the law of telecommunications. Chapters are devoted to both public and private law and to war and neutrality. Much of the discussion about "outer space" is, as the author acknowledges, necessarily speculative. However, since much of the current speculation about "outer space" law involves analogies to the other topics considered by the author, it is good to have those analogous concepts treated between the same two covers.

The books should be of particular interest to the smaller libraries whose budgets do not permit acquisition of the standard works on aviation law, but whose patrons would still like to have at least a smattering of the subject as well as the other topics mentioned. Jessup and Taubenfeld, *Controls for Outer Space and the Antarctic Analogy* (1959) is the only other treatise in English discussing space law and should be acquired at the same time by those collecting space law writings.

MORTIMER SCHWARTZ
University of Oklahoma
Law Library

Wilson, R. R. *United States Commercial Treaties and International Law*. New Orleans: The Hauser Press, Galleon Books, 1960. Pp. 381, \$6.50.

This compact, expertly written study discusses some of the important subjects regulated by treaties of friendship and commerce ratified by the United States, and their effect as the law of the land. Covered are: entry by treaty aliens, work, protection of property, natural resources, taxation, companies, judicial remedies (ac-

cess to courts), religion, and military service.

The appendix contains a table of treaties of friendship and commerce entered into by the United States, arranged chronologically, the full text of such treaty with Germany (1954) and a useful bibliography.

The book should be available in all law libraries.

S. A. BAYITCH

School of Law
University of Miami

Woetzel, Robert K. *The Nuremberg Trials in International Law*. Stevens-Praeger, 1960. Pp. 287. \$9.00.

The late Senator Robert Taft claimed that the Nuremberg Trials "while clothed with forms of justice . . . were in fact an instrument of government policy, determined months before at Teheran and Yalta."

Dr. Woetzel, a Fordham University Professor, has attempted to "show what the basis was for the jurisdiction of the International Military Tribunal, whether individual liability existed for the crimes listed in the Nuremberg Charter [e.g., crimes against humanity], and whether these crimes could really be considered international delicts." After a sixteen-page capsule on the trial itself, Dr. Woetzel devotes the remainder of the book to a discussion of such questions as *nullum crimen sine lege, nulla poena sine lege*, superior orders and Act of State, military necessity and *tu quoque*. The overall thesis is that the International Military Tribunal had a legal basis and has become a part of international law. The author anticipated the reader's main objection that no attempt was made to describe the political context of the trials by answering, ". . . in any case the question whether or not the law of Nuremberg was retroactive is essentially a legal one, and it cannot really be commented on from a political standpoint."

The legal arguments are admittedly presented in a vacuum. But the book does not purport to be the "be all and end all"

of the Nuremberg controversy, and there is no dearth of material on the political aspects of the trials.

Dr. Woetzel has added to that small body of literature in which it is argued that the International Military Tribunal had a legal basis. The book is capped by an excellent bibliography.

HERBERT H. FULLER
Chief Assistant Attorney General
State of Washington

Wollett, Donald H. and Aaron Benjamin, editors. *Labor Relations and the Law*. 2d ed. Little, Brown, and Co., 1960. Pp. 955. \$12.50.

As the preface indicates, the purpose of this book is to facilitate the teaching of the basic labor law course in a law school by collecting pertinent materials in this field. It is not a textbook, nor is it a definitive collection of doctrinal developments in the field, nor an encyclopedia of labor law.

The effectiveness of this book is reduced somewhat by its organization. For example, the representation cases under the National Labor Relations Act could have been presented in one unified chapter. Instead this book handles these cases in three different sections of part II: in section A, "Representation Proceedings"; in section D, "Effect of Established Bargaining Patterns on Employee Freedom of Choice"; and in Part F, "Right of Employers to Organize and Bargain Collectively Through Representatives of Their Own Choosing," which deals with the appropriateness of a multi-employer bargaining unit, among other matters. In Part I, both sections A and B have cases dealing with the problem of Negroes in labor unions. Some loss of continuity may be noted in discussing exclusion from union membership in part IB, and the somewhat similar problem of ousting workers for alleged dual unionism in Part II F.

A weakness of this book is its skimpy treatment of injunctions and application of anti-trust laws to labor. A summary statement of one paragraph each is all

that appears on *Apex v. Leader* and *U. S. v. Hutcheson*, key anti-trust cases applicable to labor.

In spite of the above weaknesses, the book does provide a comprehensive collection of cases, and helpful notes. Stu-

dents should be well grounded in the basic course in labor law after the use of this book.

PAUL A. BRINKER

Department of Economics
University of Oklahoma

SUGGESTED READING:—————

For the librarian who is about to expand the library, move the collection, add vigor to the library service, or is completely harassed by pressure of work, we add the following title: Swami Vishnudevanada. *The Complete Illustrated Book of Yoga*. N. Y., Julian Press, 1960, \$10.00. The book blurb practically guarantees the conquering of headaches, all strain, worry and the gain of radiant health and youthful appearance.

Contributed by
Eileen Murphy

CURRENT PUBLICATIONS*

by DOROTHY SCARBOROUGH AND VIRGINIA DUNLAP

Joint Editors

Accounting

Harrison, P. and Hillman, A. G. Book-keeping and accountancy for solicitors. London, Butterworth, 1960. 276p. £2 7s.6d.

act. Berkeley, Univ. of California Press, 1959. 351p. \$6.00.

Neale, A. D. Antitrust laws of the United States of America; a study of competition enforced by law. New York, Cambridge Univ. Press, 1960. 516p. \$7.58.

Administration of justice

American Bar Foundation. Court calendar studies. Chicago, 1960. 40p. \$1.50.

Hazard, J. N. Settling disputes in Soviet society; the formative years of legal institutions. New York, Columbia Univ. Press, 1960. 534p. \$9.50.

Tappan, P. W. Crime, justice and correction. New York, McGraw-Hill, 1960. 781p. \$7.95.

Argentina

Pan American Union. Statement of the laws of Argentina in matters affecting business. 3d ed., rev. and enl. by Raúl Salaberren and Salvador María Lozada. Washington, 1960. 258p. \$5.00. (Paper)

Administrative law

Davis, K. C. Administrative law and government, St. Paul, West, 1960. 547p. \$6.00.

International Atomic Energy Agency. Multilateral agreements. Vienna, 1959. 257p. \$2.50. (Paper) (Legal series, no. 1)

Advocates and advocacy

Soonavala, R. K. Advocacy; its principles and practice. 2d ed. Bombay, Tripathi, 1960. 959p. 50s.

Attorneys

Birks, Michael. Gentlemen of the law. London, Stevens, 1960. 304p. 25s.

Seligson, H. P. Building a practice. Rev. to April 1960. New York, Practising Law Institute, 1960. 122p. \$2.00.

Africa

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Revised to December 1, 1960

Compiled by FRANCES KARR HOLBROOK

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¹ Grateful acknowledgment is made of the assistance of the following: Viola A. Bird, Ernest H. Breuer, Fern O. Day, Katharine B. Day, Geraldine Dunham, Anne W. Dunkle, Charlotte C. Dunnebacke, Martin J. Feerick, John D. M. Folger, Talbert B. Fowler, Jr., Ralph Funk, Paul Gay, Alice B. Good, Betty Hancock, Thomas S. Hartwig, Edith L. Harry, Philip A. Hazelton, Marabeth Hobbs, J. Myron Jacobstein, Hazel Key, Virginia Knox, Maurice Leon, Sarah Leverette, A. Rosemary McCormick, Harrison MacDonald, Florence R. McMaster, Elizabeth L. Mallalieu, Momoko Murakami, William D. Murphy, Katherine Orchard, Lois E. Peterson, John H. Petesch, Thomas E. Poe, Jr., Marie Russell, Dorothy Salmon, Rebecca Schlam, Marie Louise Seibold, Clarence H. Shoren, Carson F. Sinclair, Julia B. Starnes, Ray Stringham, Madge K. Tomeny, Lawrence J. Turgeon, Lina Watson.

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** Advance parts called McKinney's Session on Laws News

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